

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: June 26, 2019

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: A zoning text and map amendment creating a new CMU-3 (Commercial Mixed Use) Zoning District, substantially amending the existing M-1/NFO and M-1/Edison/NFO Zoning Districts, rezoning various areas of North Fair Oaks to the new and modified zoning districts, and amending the existing Chapter 29, "Design Standards and Site Development Permit," of the Zoning regulations.

County File Number: PLN 2017-00254

PROPOSAL

1. Rezoning of the areas along Middlefield Road, around Redwood Junction at the crossing of the Caltrain and Dumbarton rail tracks, and along Edison Way currently zoned for commercial and industrial use to a new commercial and residential mixed-use zoning district (CMU-3);
2. Rezoning of the areas along Edison Way, and around Spring Street and Bay Road currently zoned for light industrial use to two (2) new industrial mixed-use districts (comprehensively revising the existing M-1/NFO, and M-1/Edison/NFO districts, and applying the revised M-1/NFO zoning to the areas currently zoned M-1); and
3. Amendments to Chapter 29 of the County Zoning Regulations, "Design Review and Site Development Permit," to simplify and clarify the design standards, and to specify the procedures and design standards that apply to different types of projects, and different locations of projects, within the various zoning districts in North Fair Oaks.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors adopt an ordinance adding the new CMU-3 Zoning District, amending the M-1/NFO and M-1/Edison/NFO Zoning Districts, and amending Chapter 29 of the Zoning Regulations, and rezoning the described areas in North Fair Oaks to the new and amended zoning designations.

SUMMARY

In 2011, the San Mateo County Board of Supervisors adopted the North Fair Oaks Community Plan. The Plan establishes basic land use designations for various parts of North Fair Oaks and describes goals and policies for development of the community over the next 25 to 30 years. The land use designations in the Plan establish basic allowed land uses for each area (types of residences, businesses, and other uses), as well as basic standards for those uses, including heights, densities, and others. In order to implement the goals and policies of the Plan, the zoning designations for multiple areas in North Fair Oaks must be changed to match the land use designations in the Plan, and to provide more comprehensive standards for the development of properties in North Fair Oaks. Adoption of the new zoning regulations also ensures that, as required by state law, the County's zoning designations are consistent with those in the Community Plan.

The proposed Commercial Mixed-Use zoning regulations are intended to allow a greater mix of residential and commercial uses, including both local- and regional-serving commercial uses, and a greater density of multi-family housing. The CMU-3 Zoning District is similar to the recently-adopted CMU-1 and CMU-2 Districts, on El Camino Real and 5th Avenue, but allows somewhat greater heights and densities. This district is intended to achieve the basic goals of the North Fair Oaks Community Plan, with a particular focus on a greater variety of commercial uses, and a greater range and density of multi-family housing. The proposed zoning includes lower height limits in rezoned areas adjacent to existing residential uses, as well as various setback and stepback requirements to buffer existing lower-intensity development. The proposed zoning also includes parking standards intended to ensure that each new building "parks itself," providing sufficient parking to meet the parking needs of new residents, new employees, and new customers generated by each business or residence.

The goals and purpose of the proposed industrial mixed use zoning districts are to provide industrial areas primarily for the location of manufacturing land uses that do not create more than a moderate impact on the surrounding area, and are appropriately scaled and set back from adjacent residential land uses; to accommodate a compatible mix of trades and services, transportation, commercial, public, residential, communication, and institutional land uses; to allow a greater range mixed-use development that will create a vibrant livable environment for area residents; and to allow residential uses in some specifically designated areas.

The development standards, design standards, and parking requirements for the proposed M-1/NFO and M-1/Edison/NFO Zoning Districts are the same. The only difference between the proposed districts is the range of land uses allowed.

The primary allowed use in both the M-1/NFO and M-1/Edison/NFO districts remains industrial uses, but with greater limitations on the intensity and impact of such uses, limiting them to lighter industrial uses that do not have significant negative impacts on

other surrounding uses. Commercial uses will also be allowed in mixed-use projects, with a use permit, office uses will be allowed only in mixed-use projects and only to a limited degree, and residential uses will be allowed only in specifically designated areas adjacent to existing residentially-zoned areas. Live-work units will continue to be allowed, as in the current industrial zoning.

The proposed zoning applies a uniform maximum 40-foot height limit, for all uses, and also incorporates various setbacks to buffer adjacent uses.

As in the case of the CMU-3 district, the parking standards proposed for the revised M-1/NFO and M-1/NFO/Edison districts are intended to ensure that sufficient parking is created to accommodate new parking needs generated by all new businesses and residences.

Chapter 29 of the County Zoning Regulations, “Design Standards and Site Development Permit,” was adopted in November 2017, by the Board of Supervisors, with the adoption of the CMU-1, CMU-2, and NMU-ECR Zoning Districts. The Chapter specifies a set of design regulations that apply to various projects in those zoning districts, and in the subsequent CMU-3, M-1/NFO, and M-1/Edison/NFO Zoning Districts, as well as procedures for reviewing project submittals and granting project approvals for projects in those districts.

The proposed amendments to Chapter 29 do not substantively change the nature of the standards applied to projects in these zoning districts. Rather, they clarify and simplify the language of the standards; clarify the locations and project types to which specific sets of standards apply; and clarify the procedures for various levels of application review and approval that apply to various types and locations of projects.

The North Fair Oaks Community Council considered the proposed amendments at a Study Session on May 16, 2019, and at a regular hearing on May 23, 2019, and recommended that the Planning Commission and Board of Supervisors approve and adopt the amended zoning and associated proposed rezonings.

The proposed rezoning is within the scope of the program evaluated in the Environmental Impact Report (EIR) for the North Fair Oaks Community Plan (Plan), certified by the Board of Supervisors in 2011. A checklist evaluating the proposed zoning amendments and determining that their potential impact is within the scope of the program evaluated by the Plan EIR, has been completed, and is included as Attachment I. Pursuant to CEQA Guidelines Section 15168, no further environmental review is required.

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**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: June 26, 2019

TO: Planning Commission

FROM: Planning Staff

SUBJECT: A zoning text and map amendment creating a new CMU-3 (Commercial Mixed Use) Zoning District, substantially amending the existing M-1/NFO and M-1/Edison/NFO Zoning Districts, rezoning various areas of North Fair Oaks to the new and modified zoning districts, and amending the existing Chapter 29, "Design Standards and Site Development Permit," of the Zoning regulations.

County File Number: PLN 2017-00254

PROPOSAL

A zoning text and map amendment:

1. Rezoning of the areas along Middlefield Road, around Redwood Junction at the crossing of the Caltrain and Dumbarton rail tracks, and along Edison Way currently zoned for commercial and industrial use to a new commercial and residential mixed-use zoning district (CMU-3);
2. Rezoning of the areas along Edison Way, and around Spring Street and Bay Road currently zoned for light industrial use to two (2) new industrial mixed-use districts (comprehensively revising the existing M-1/NFO, and M-1/Edison/NFO districts, and applying the revised M-1/NFO district to the areas currently zoned M-1); and
3. Amendments to Chapter 29 of the County Zoning Regulations, "Design Review and Site Development Permit," to simplify and clarify the design standards, and to specify the procedures and design standards that apply to different types of projects, and different locations of projects, within the various zoning districts in North Fair Oaks.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors adopt an ordinance adding the new CMU-3 Zoning District, amending the M-1/NFO and M-

1/Edison/NFO Zoning Districts, and amending Chapter 29 of the Zoning Regulations, and rezoning the described areas in North Fair Oaks to the new and amended zoning designations.

BACKGROUND

Report Prepared By: Planning Staff

Appellant: N/A

Applicant: San Mateo County Planning and Building Department

Owner: N/A

Location: The areas of North Fair Oaks currently zoned for commercial and industrial uses areas along Middlefield Road, around Redwood Junction, along Edison Way, and around Spring Street and Bay Road

APN(s): Various

Size: N/A

Existing Zoning: M-1 (Spring Street and Bay Road), M-1/NFO (Redwood Junction), M-1/Edison/NFO (Edison Way), C-2/NFO/S-1/DR (Middlefield Road)

General Plan Designation: Commercial Mixed-Use (Redwood Junction), Industrial Mixed-Use (Bay Road/Spring Street, Edison Way)

Sphere-of-Influence: Redwood City

Existing Land Use: A variety of light industrial uses, with some smaller-scale commercial establishments, some institutional and recreational uses, and a few dispersed nonconforming residential uses.

Environmental Evaluation: The proposed rezoning is within the scope of the program evaluated in the Environmental Impact Report (EIR) for the North Fair Oaks Community Plan (Plan), certified by the Board of Supervisors in 2011. A checklist evaluating the proposed zoning amendments and determining that their potential impact is within the scope of the program evaluated by the Plan EIR, has been completed, and is included as Attachment I. Pursuant to CEQA Guidelines Section 15168, no further environmental review is required.

Setting: The areas proposed for rezoning are entirely urbanized and are characterized by a mix of moderate density commercial, industrial, and institutional uses, interspersed with a few residential uses, and are bordered by both commercial and residential uses of low to moderate densities.

Chronology:

<u>Date</u>	<u>Action</u>
2011	Adoption of North Fair Oaks Community Plan
2015	Adoption of Phase 1, NMU Rezoning (Middlefield Road)
2017	Adoption of Phase 2, CMU-1, CMU-2, and NMU-ECR rezoning
May 23, 2019	North Fair Oaks Community Council recommends approval and adoption of CMU-3 zoning, M-1/NFO and M-1/Edison/NFO amended zoning, and associated proposed rezonings by the Planning Commission and Board of Supervisors

DISCUSSION

A. KEY ISSUES

1. Implementation of the North Fair Oaks Community Plan

In 2011, the San Mateo County Board of Supervisors adopted the North Fair Oaks Community Plan. The Plan, a component of the County General Plan, establishes basic land use designations for various parts of North Fair Oaks, and describes the goals and policies for the development of the community over the next 25 to 30 years.

The land use designations in the Plan establish the basic allowed land use for each area (allowed types of residences, businesses, and other uses), as well as basic standards for those uses, including maximum heights, densities, and other development standards.

In order to fully implement the goals and policies established by the Plan, the zoning designations for multiple areas in North Fair Oaks must be changed to match the land use designations incorporated in the Plan, and to provide more refined and comprehensive standards for the development of properties in North Fair Oaks. Adoption of the new zoning regulations also ensures that, as required by state law, the County's zoning designations are consistent with those in the Community Plan.

The County has proceeded with the necessary rezonings in multiple phases, beginning with Phase 1, along the southern portion of Middlefield Road, in

2015; Phase 2, El Camino Real and 5th Avenue in 2017; and the current and final phases of the rezoning, Phases 2B (Commercial Mixed-Use) and 3 (Industrial Mixed-Use). The rezoning areas and timeline are shown on Attachment B.

As part of the implementation of the Plan, a new set of design standards for development in rezoning Phases 2, 2B, and 3 was also adopted by the Board of Supervisors. The proposed zoning amendments also include amendments to these design standards, in order to simplify and clarify the standards, the procedure for applying the standards and the different standards that apply to different types and locations of development. All of the revisions are consistent with the design standards in the Community Plan, and those standards already adopted by the Board of Supervisors.

2. Public Process

Throughout 2018 and 2019, the County conducted outreach and gathered input on the proposed new zoning districts. The efforts included:

- a. Multiple stakeholder forums, each with small groups of local residents, property owners, and business owners, to gather focused input in a small setting.
- b. Input from a technical advisory group made up of experts in architecture, development, real estate, and policy.
- c. Community-wide workshops, including a combined kickoff workshop, and three workshops for the Industrial Mixed-Use rezoning, and three workshops for the Commercial Mixed-Use rezoning.

Meeting Type	Date
Stakeholder Meeting	June 30, 2018
Stakeholder Meeting	July 17, 2018
Joint Phase 2B and 3 Public Meeting	September 18, 2018
Phase 2B Public Meeting	November 13, 2018
Phase 3 Public Meeting	December 11, 2018
Phase 2B Public Meeting	April 9, 2019
Phase 3 Public Meeting	May 9, 2019
Technical Advisory Group Meeting	September 26, 2018
Technical Advisory Group Meeting	January 31, 2019
Technical Advisory Group Meeting	April 4, 2019

The North Fair Oaks Community Council considered the proposed amendments at a Study Session on May 16, 2019, and at a regular hearing on May 23, 2019, and recommended that the Planning Commission and Board of Supervisors approve and adopt the amendments and rezoning.

3. Purpose of the Zoning Regulations

The overarching purpose of the new zoning is to implement the Community Plan and respond to the needs of the North Fair Oaks community. The goals of the Plan include:

- a. More housing of all types, in appropriate areas.
- b. A greater variety of allowed uses, providing a range of businesses and services to meet community needs.
- c. Redevelopment of under-developed, poorly maintained, vacant, or abandoned properties.
- d. A reduction in uses that are unwanted or inappropriate for the community.
- e. Better access for pedestrians and bicycles.

B. PROPOSED ZONING REGULATIONS

Each of the proposed districts, CMU-3, M-1/NFO, and M-1/Edison/NFO, are discussed below. For each, the goals and purpose of the zoning district, the proposed allowed uses, development standards, and design standards are described in brief. The full proposed regulations are presented in Attachments E, F and G.

1. Phase 2B: Commercial Mixed-Use 3 (CMU-3) Zoning

The proposed CMU-3 rezoning area is shown on Attachment C.

a. Goals and Purpose

The proposed Commercial Mixed-Use zoning regulations are intended to allow a greater mix of residential and commercial uses, including both local- and regional-serving commercial uses, and a greater density of multi-family housing. The CMU-3 Zoning District is similar to the recently-adopted CMU-1 and CMU-2 Districts, on El Camino Real and 5th Avenue, but allows somewhat greater heights and densities. This district is intended to achieve the basic goals of the North Fair Oaks Community Plan, as described above, with a

particular focus on a greater variety of commercial uses, and a greater range and density of multi-family housing.

b. Allowed Land Uses

The basic uses allowed in the CMU-3 zoning area are:

- Residential, including multi-family ownership and rental housing
- Commercial uses, including restaurants, grocery stores, pharmacies, and others
- Limited office uses
- Various professional services, including medical, financial services, and others
- Indoor recreational uses
- Mixed commercial and residential uses
- Various institutional uses, such as childcare and community facilities

The full list of allowed uses is shown in Attachment E.

On Middlefield Road, the principal allowed use is mixed commercial and residential, typically with commercial on the ground floor, and residential uses above. All other uses require a use permit. In areas off of Middlefield Road, both commercial mixed-use and entirely residential uses are allowed without a use permit, while other uses require a permit.

c. Development Standards

- (1) Building Setbacks and Stepbacks. Required building setbacks (the distance a building must be from the property line at the ground floor) and stepbacks (the amount a building must step back further above the ground floor) in the new zoning district vary by location. The full required setbacks are presented in Attachment E.

Rear Setbacks and Stepbacks. In general, projects facing Middlefield Road with residential zoning to the rear must have a combination of rear setbacks and stepbacks totaling 10 feet. For projects on Middlefield Road not adjacent to residential

districts, and for projects not on Middlefield Road, the following requirements apply: projects which do not have a rear street frontage (i.e., do not go all the way through a block) must have the same combined 10 feet of setback and stepback, while parcels that go entirely through to another street frontage must have a rear setback sufficient to create an 8-foot sidewalk.

Front Stepbacks. Projects on Douglas Avenue between Middlefield Road and San Mateo Avenue; First Avenue between Middlefield Road and Edison Way; and Edison Way between 1st Avenue and 5th Avenue must have either 1) a 10-foot stepback immediately above the first building floor, or 2) a minimum 8-foot setback from the front property line, and minimum 5-foot stepback either above the first floor, or for buildings greater than 60 feet in height, above the first floor or at 60 feet building height.

- (2) **Building Height.** The maximum building height for projects located within a quarter mile of the crossing of Middlefield Road and the Dumbarton rail tracks is 70 feet; for projects along Edison Way between 2nd Avenue and 5th Avenue, 50 feet; and for projects on the south side of Middlefield Road, adjacent to residentially-zoned parcels, 60 feet.
- (3) **Floor Area Ratio.** Floor area ratio (FAR) is an additional limit on the amount of development allowed on any parcel. FAR is the maximum ratio of total floor area of a building, in square feet, to the total square footage of the parcel on which the building is constructed. For example, a floor area ratio of 1.0 means that, on a 5,000 sq. ft. lot, only 5,000 sq. ft. of total floor area may be built (including all stories of the building). A FAR of 2.0 means that a 5,000 sq. ft. parcel may have 10,000 sq. ft. of construction on it.

Use	Maximum FAR
Residential	n/a
Commercial (Retail/Office)	1.5
Institutional	1.0
Industrial	0.75
Mixed-Use	2.0

The primary difference in development standards between the current and proposed zoning regulations is that the current maximum height in the rezoning area is 37 feet, compared to the

proposed 50 – 70 feet, and the current maximum floor area ratio is 1.5 for all uses, compared to the proposed 0.75 – 2.0.

d. Parking Requirements

Parking standards describe the amount and type of parking that must be provided by new development. The proposed parking standards are intended to ensure that each new building “parks itself,” providing sufficient parking to meet the parking needs of new residents, new employees, and new customers generated by each business or residence.

- (1) For residential buildings, the proposed standards establish required parking by type of unit. The basic standards are: 1 space for 0-2-bedroom units; 2 spaces for 3-bedroom units; 1 visitor space for each 10 units. The standards also require 1 bike parking space for each 4 units, and sufficient Electric Vehicle charging spaces or stations to charge at least 5% of vehicles.
- (2) For non-residential buildings, parking is required based on building square footage. Basic standards include: Office and professional services, 1 space per 500 sq. ft.; Neighborhood Trades and Services, Retail Sales, Rental or Repair, 1 space per 300 sq. ft.; Indoor Recreation, 1 space per 400 sq. ft.; Food Services, 1 space per 250 sq. ft.; Bicycle parking and Electric Vehicle parking are also required for non-residential uses.

e. Design Standards

Design standards regulate the physical appearance of individual buildings and other physical elements, and the aesthetic standards and relationship between various physical elements in the community. These include standards for public realm improvements that new projects may be required to provide (such as street trees, bicycle parking, sidewalks, benches, plazas, and/or trash containers), as well as standards for design of the private realm, which address the design of buildings and private properties.

Design standards include:

- Buildings must be oriented toward primary streets
- Building facades, roof heights, step-backs, and architectural elements must be varied

- Buildings must use high-quality, durable materials
- Continuous blank walls are prohibited
- Ground-floor parking, garage entries, parking vents, garbage facilities, and mechanical equipment must be screened or placed out of sight
- Projects must provide trees and landscaping, and treat all stormwater using best management practices
- Signage must be limited in size
- Any required utilities (including power lines) must be installed underground

Design standards for the new zoning districts are shown in Attachment G.

2. Phase 3: Industrial Mixed-Use Rezoning (M-1/NFO, M-1/Edison/NFO)

a. Goals and Purpose

The goals and purpose of the proposed industrial mixed-use zoning districts are to provide industrial areas intended primarily for the location of manufacturing land uses that do not create a significant impact on the surrounding area, and are appropriately scaled and set back from adjacent residential land uses; to accommodate a compatible mix of trades and services, transportation, commercial, public, residential, communication, and institutional land uses; to allow a greater range of mixed-use development that will create a vibrant livable environment for area residents; and to allow residential uses in some specifically designated areas.

The development standards, design standards, and parking requirements for the proposed M-1/NFO and M-1/Edison/NFO Zoning Districts are the same. The only difference between the proposed districts is the range of land uses allowed, as described below.

b. Allowed Land Uses

The primary allowed use in both the M-1/NFO and M-1/Edison/NFO districts remains industrial uses, but with greater limitations on the intensity and impact of such uses, limiting them to lighter industrial uses that do not have significant negative impacts on other surrounding uses. Commercial uses will also be allowed in mixed-use

projects, with a use permit, office uses will be allowed only to a limited degree in mixed-use projects, and residential uses will be allowed only in specifically designated areas adjacent to existing residentially-zoned areas. Live-work units will continue to be allowed, as in the current industrial zoning. The full list of uses are presented in Attachments F and G.

c. Development Standards

- (1) Building Setbacks. Required setbacks are determined by land use, as shown below:

Required Setbacks			
Use	Front	Side	Rear
Residential	5 feet minimum 15 feet maximum	0	0
Commercial (Retail/Office)	0 feet minimum 10 feet maximum	0	0
Institutional	0 feet minimum 10 feet maximum	0	0
Industrial	10 feet minimum 20 feet maximum	0	0
Mixed-Use	- ¹	0	0
¹ Based on ground floor use.			

As in the current zoning, when the rear portion of an M-1/NFO or M-1/Edison/NFO zoned parcel abuts a residentially zoned parcel, a 6-foot rear setback will be required regardless of proposed use.

- (2) Maximum Building Coverage. Maximum building coverage, the amount of a parcel which can be covered by development, will be 80%, the same as the current standard.
- (3) Floor Area Ratio. The maximum floor area ratio varies by land use, as follows:

Floor Area Ratio	
Use	Maximum FAR
Residential	n/a
Commercial (Retail/Office)	0.75
Institutional	1.25
Industrial	1.25

Floor Area Ratio	
Use	Maximum FAR
Mixed-Use	1.0

- (4) Maximum Height. The maximum building height of all allowed uses will be 40 feet.

The full development standards are presented in Attachment F.

d. Parking Requirements

As in the case of the CMU-3 district, the parking standards proposed for the revised M-1/NFO and M-1/NFO/Edison districts are intended to ensure that sufficient parking is created to accommodate new parking needs generated by all new businesses and residences. The full list of parking standards is presented in Attachment F. The standards include the following:

- (1) For residential uses in those limited areas where residential is allowed, the parking standards will be the same as those required for the CMU-3 district.
- (2) For non-residential buildings, the standards for those uses also described in the CMU-3 district are essentially the same. Standards for uses that are unique to the industrial districts include: 1 space per 1,500 sq. ft. for light manufacturing; 1 space for the first 1,500 sq. ft., and 1 per each 200 sq. ft. thereafter for wine-making, spirit distillation, and brewing; 1 space per 750 sq. ft. for R&D; 1 space per 750 sq. ft. for indoor wholesale; 1 space per 1,500 sq. ft. for construction trades; 1 space per 400 sq. ft. for Gas Stations (without service station); 1 space per 250 sq. ft. for Service Stations; and 1 space per 500 sq. ft. for Auto Shops (without gas station) and related uses.

e. Design Standards

The design standards for the M-1/NFO and M-1/NFO/Edison districts will be the same as those required for the CMU-3 district, as well as the existing CMU-1, CMU-2, and NMU-ECR districts.

3. Chapter 29: Design Standards and Site Development Permit

Chapter 29 of the County Zoning Regulations, Design Standards and Site Development Permit, was adopted in November 2017 by the Board of Supervisors, with the adoption of the CMU-1, CMU-2, and NMU-ECR Zoning Districts. The Chapter is intended to specify a set of design regulations that apply to various projects in those zoning districts, and in the subsequent CMU-3, M-1/NFO, and M-1/NFO/ECR Zoning Districts, as well as procedures for reviewing project submittals and granting project approvals for projects in those districts.

The proposed amendments to Chapter 29 do not substantively change the nature of the standards applied to projects in these zoning districts. Rather, they clarify and simplify the language of the standards; clarify the locations and project types to which specific sets of standards apply; and clarify the procedures for levels of application review and approval that apply to various types and locations of projects.

The Site Development Permit requirements in Chapter 29 establish the required materials for project applications in the various new zoning districts in NFO, the standards for review of those materials, and the approvals required. The only change to these procedures in the proposed amendments is the clarification that projects requiring a Use Permit, which are already, by County regulations, subjected to a greater level of scrutiny than that provided by the Site Development Permit, will not be required to also obtain a Site Development Permit, as that permit would be redundant.

The proposed changes to the Design Regulations divide the two existing sections, Public Realm Improvements and Private Realm Improvements, into two sections each: Base Standards, and Additional Standards. The base standards are those that apply to every project; the additional standards apply to projects of specific types, or in specific higher visibility locations for which additional design considerations are appropriate. The standards themselves have been rewritten for clarity but are largely similar in substance to those already in Chapter 29.

There are no proposed changes to the types or location of projects subject to the various design standards for the CMU-1, CMU-2, or NMU-ECR Zoning Districts. All projects in these areas remains subject to both Base and Additional Standards.

The full Design Standards are attached as Attachment H.

C. OTHER ISSUES

1. Nonconforming Uses

Some uses that are currently allowed under existing zoning will, under the proposed zoning, no longer be allowed. This does not mean that existing businesses of these types may no longer operate. Rather, any existing use that is not allowed under the new zoning will be considered “legal nonconforming,” and can continue to operate at its current size and scale. However, new uses of that type may not be created, and expansions may be limited.

2. Affordable Housing

Significant amounts of residential development will be allowed in the CMU-3 zoning area, and limited amounts of residential development will be allowed in some portions of the M-1/NFO and M-1/Edison/NFO areas. Pursuant to the County’s Inclusionary Housing Ordinance, 20% of every new development greater than five (5) units must be dedicated as long-term, restricted affordable housing, at income levels affordable to low- or moderate-income buyers or tenants. This requirement applies to both rental and ownership housing. There are no exceptions to the inclusionary housing requirement. While the pace of new development cannot be predicted, by law, every project will have a significant affordable component, helping meet both the need for market rate housing, and the need for lower-income housing.

D. ALTERNATIVES

The alternatives to the Planning Commission recommending that the Board of Supervisors adopt the proposed amendments include recommending that the Board not approve the proposed amendments or approve the proposed amendments in modified form.

E. ENVIRONMENTAL REVIEW

The proposed rezoning is within the scope of the program evaluated in the Environmental Impact Report (EIR) for the North Fair Oaks Community Plan (Plan), certified by the Board of Supervisors in 2011. A checklist evaluating the proposed zoning amendments and determining that their potential impact is within the scope of the program evaluated by the Plan EIR, is included as Attachment I. Pursuant to CEQA Guidelines Section 15168, no further environmental review is required.

F. REVIEWING AGENCIES

County Counsel

ATTACHMENTS

- A. Recommended Action
- B. Rezoning Phases and Map
- C. Maps of CMU-3,
M-1/NFO and M-1/NFO/Edison rezoning areas
- D. Adopting ordinance with new CMU-3 and revised M-1/NFO, M-1/Edison/NFO, and
Design Standards and Site Development Permit chapters
- E. Environmental Checklist

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County of San Mateo
Planning and Building Department

RECOMMENDED ACTION

Permit or Project File Number: PLN 2017-00254

Hearing Date: June 26,2019

Prepared By: Planning Staff

For Adoption By: Planning Commission

RECOMMENDED ACTION

That the Planning Commission recommend that the Board of Supervisors adopt an ordinance adding the new CMU-3 Zoning District, amending the M-1/NFO and M-1/Edison/NFO Zoning Districts, and amending Chapter 29 of the Zoning Regulations, and rezoning the described areas in North Fair Oaks to the new and amended zoning designations.

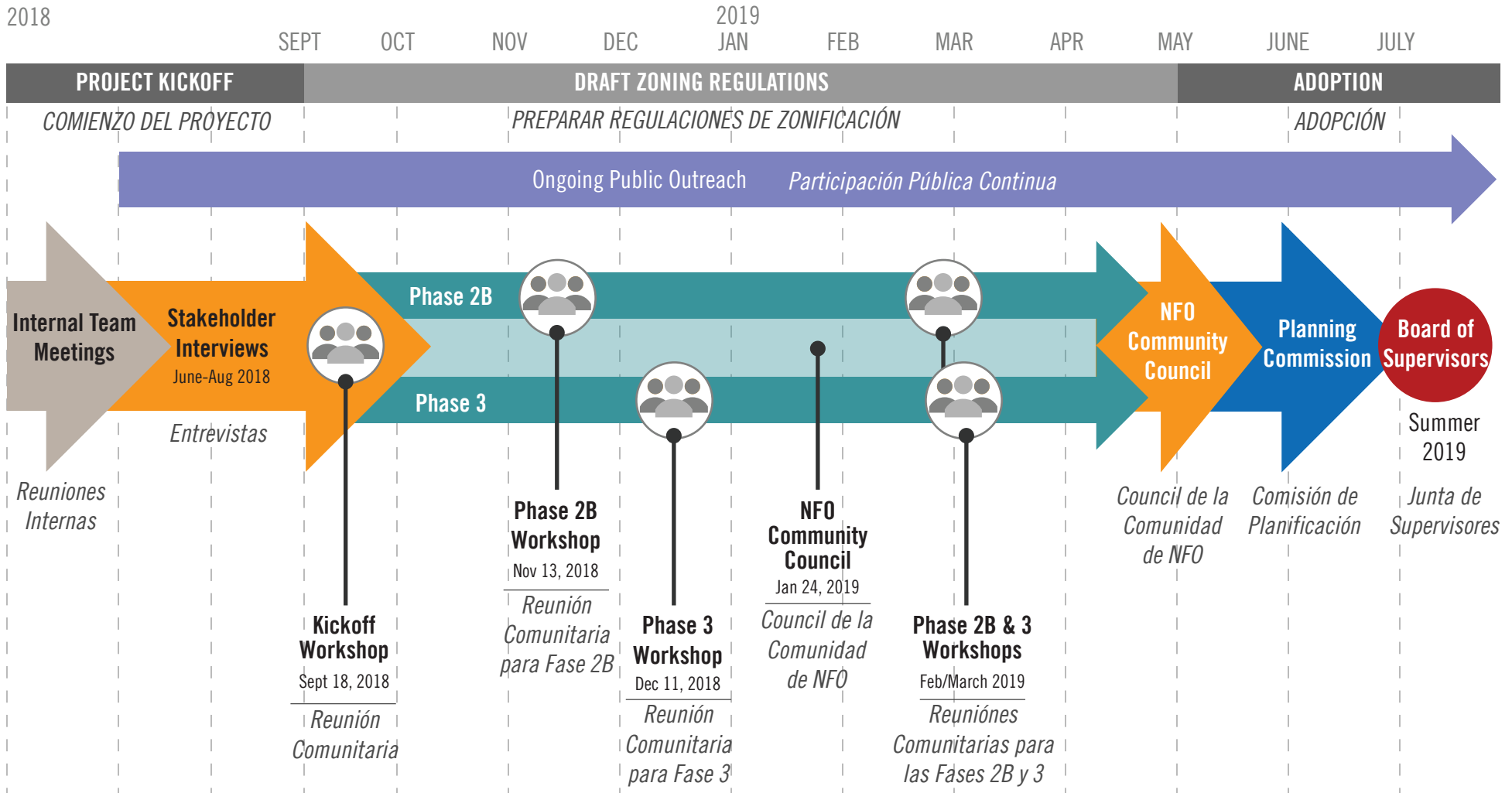
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County of San Mateo - Planning and Building Department

ATTACHMENT B

North Fair Oaks Rezoning | Phase 2B & 3 Timeline

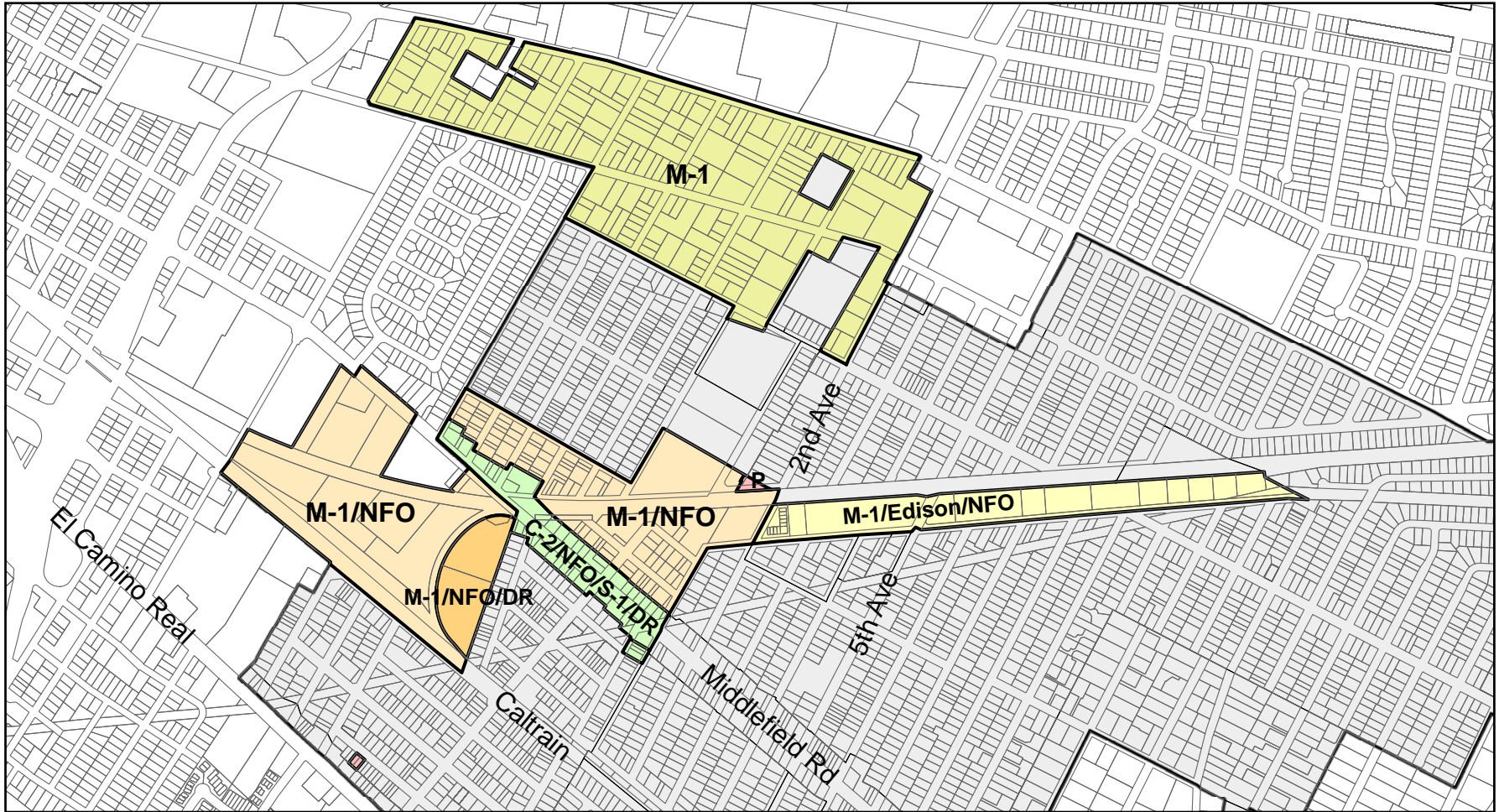




County of San Mateo - Planning and Building Department

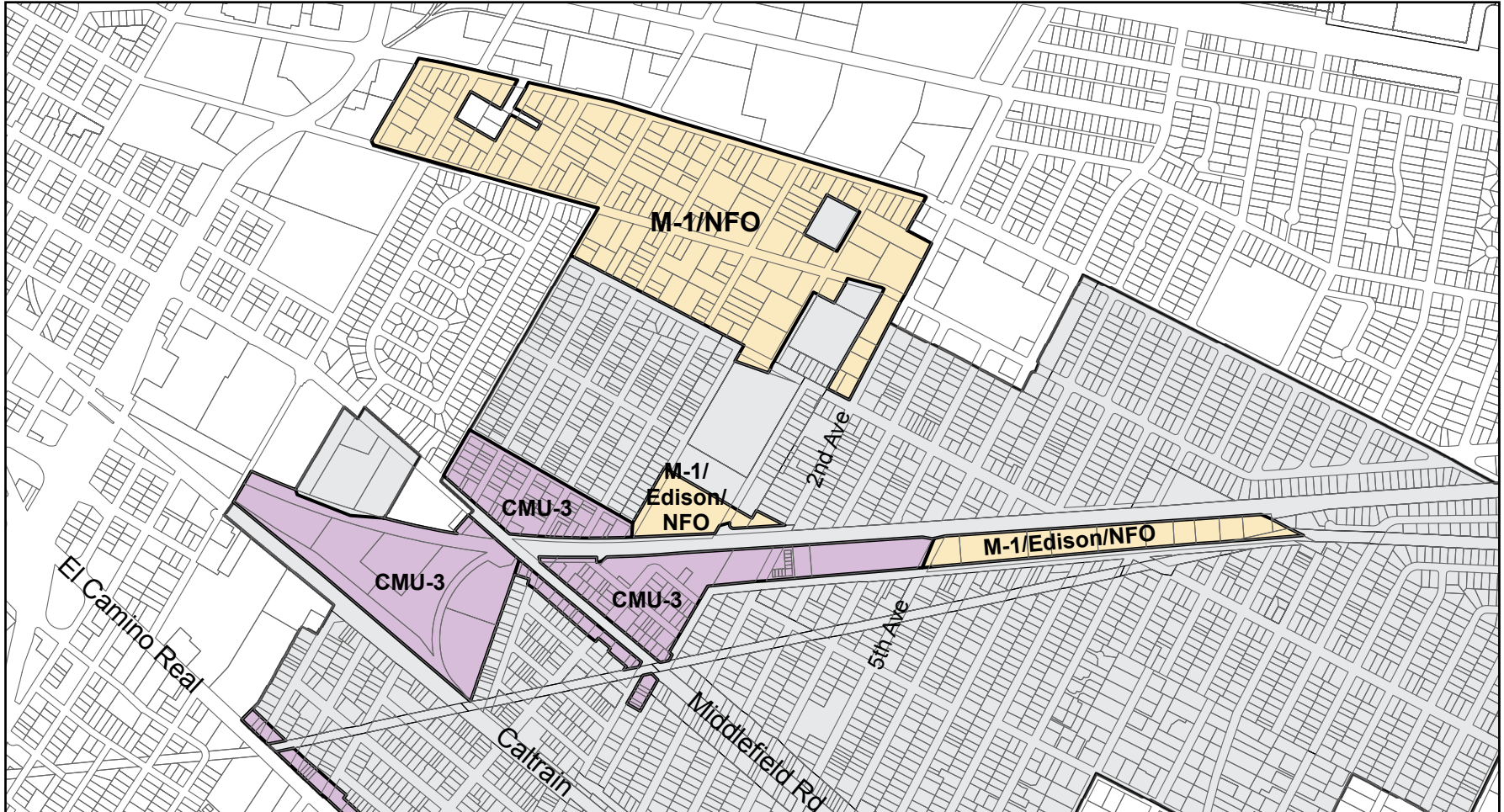
ATTACHMENT C

North Fair Oaks Rezoning Phases 2b and 3: Current Zoning



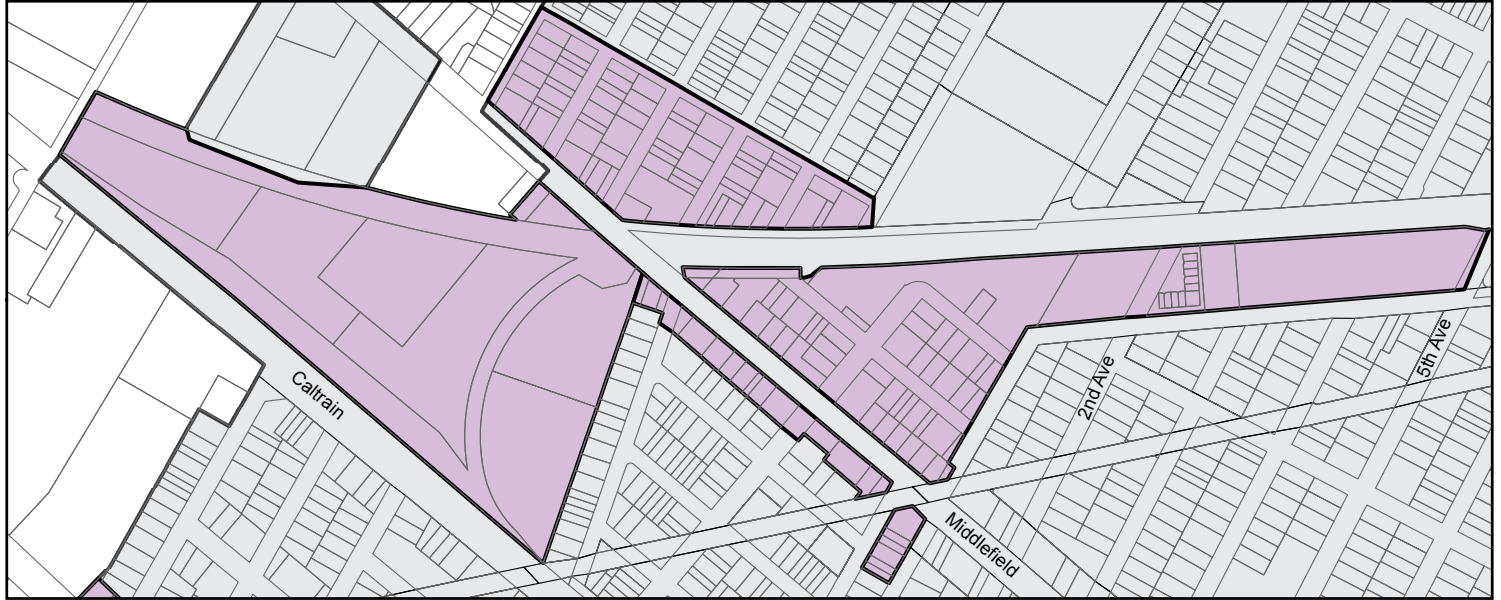
ATTACHMENT C

North Fair Oaks Rezoning Phases 2b and 3: Proposed Zoning



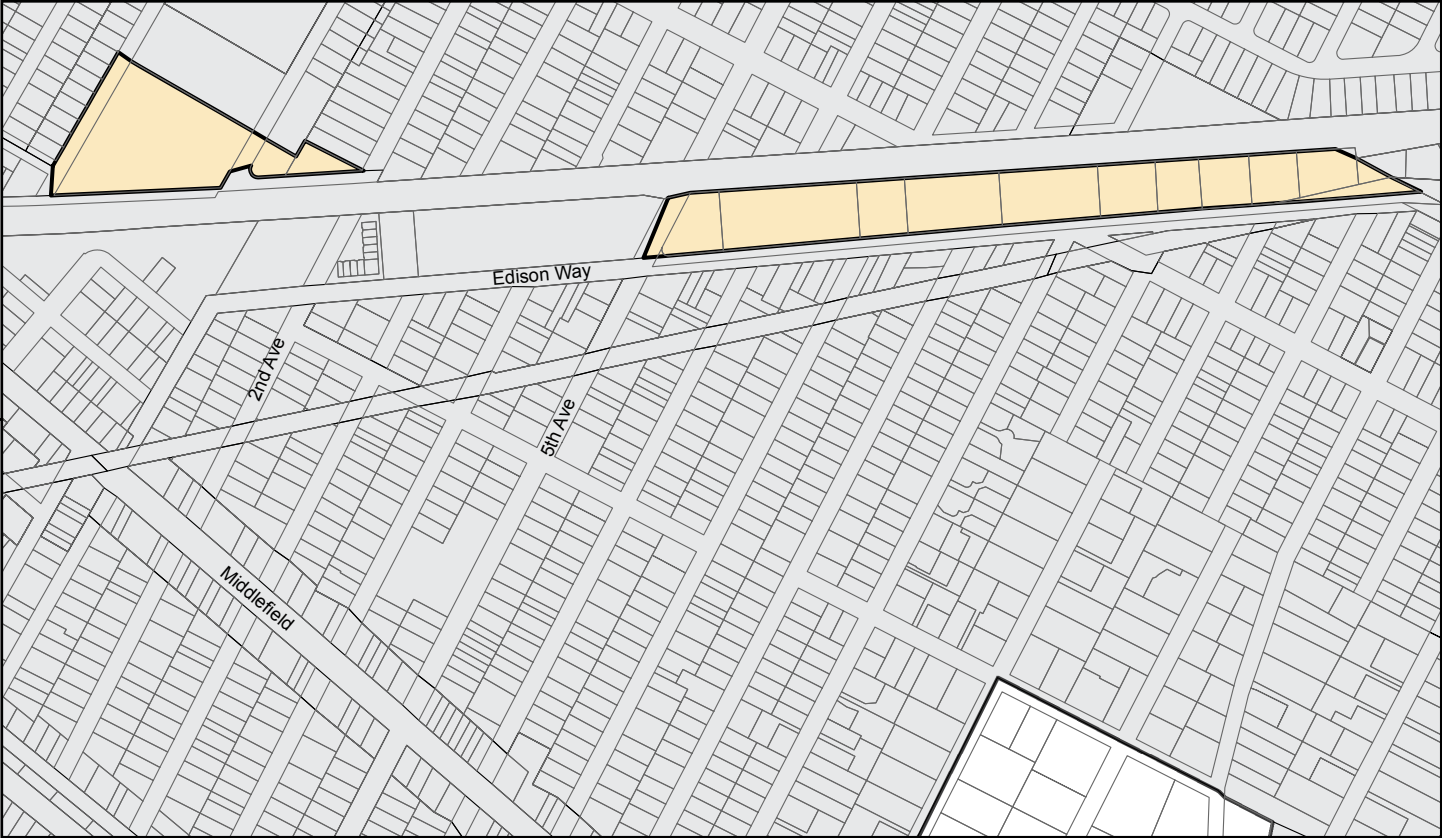
ATTACHMENT C

North Fair Oaks Rezoning: Proposed CMU-3 Rezoning Area



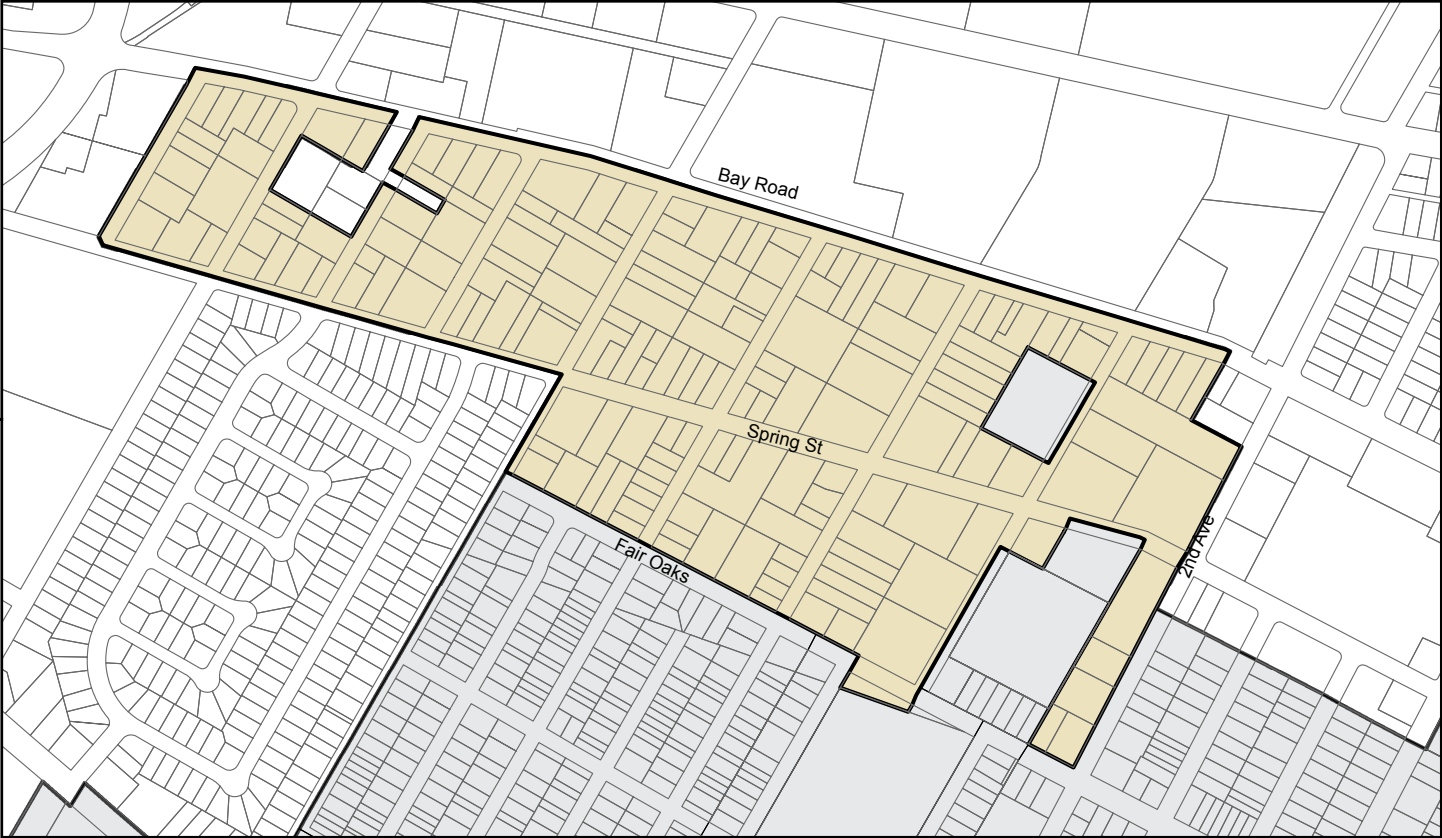
ATTACHMENT C

**North Fair Oaks Rezoning:
Proposed M-1/Edison/NFO Rezoning Area**



ATTACHMENT C

North Fair Oaks Rezoning: Proposed M-1/NFO Rezoning Area



ATTACHMENT C



County of San Mateo - Planning and Building Department

ATTACHMENT D

ORDINANCE NO. .
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING REGULATIONS), DIVISION VI, PART ONE, TO ADD A NEW CHAPTER 29.4, CMU-3 (COMMERCIAL MIXED USE-3) ZONING DISTRICT, AND TO AMEND CHAPTER 17, “M-1/NFO,” CHAPTER 17, “M-1/EDISON/NFO,” AND CHAPTER 29, “DESIGN STANDARDS AND SITE DEVELOPMENT PERMIT,” AND AMENDING THE SAN MATEO COUNTY ORDINANCE CODE, DIVISION VI, PART ONE, CHAPTER 2, SECTION 6115 (ZONING MAPS) TO APPLY THE NEW AND AMENDED ZONING DISTRICTS TO SPECIFIED PORTIONS OF UNINCORPORATED NORTH FAIR OAKS

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows

SECTION 1. The Board of Supervisors of the County of San Mateo (“County”) hereby finds and declares as follows:

WHEREAS, in 2011, the San Mateo County Board of Supervisors adopted the North Fair Oaks Community Plan (Community Plan), establishing the goals and vision for the development of North Fair Oaks; and

WHEREAS, the Community Plan supports the community’s vision of North Fair Oaks as a complete, vital community with an appropriate mix of housing, employment, and services to meet the needs of North Fair Oaks; and

WHEREAS, the Community Plan incorporates new land use categories for specified areas of the North Fair Oaks community, and establishes new development and design standards for those areas; and

WHEREAS, in order to fully implement the land use categories adopted in the Community Plan, the zoning for these areas must be amended; and

WHEREAS, in order for the zoning and underlying land use categories to be consistent, as required by law, the zoning for these areas must also be amended; and

WHEREAS, on adoption of the Community Plan, the Board of Supervisors directed the San Mateo County Planning and Building Department to prepare amended zoning designations to implement the land use categories in the Community Plan; and

WHEREAS, working closely with a group of local residents and stakeholders, and the North Fair Oaks Community Council, and with significant input from the community at large, the Planning and Building Department has prepared the final phase of zoning amendments, a new Commercial Mixed Use-3 (CMU-3) Zoning District and substantially amended M-1/NFO and M-1/Edison/NFO Zoning Districts, to implement the underlying land use categories of the Community Plan; and

WHEREAS, the proposed zoning is applicable to the currently commercially- and industrially zoned areas around Redwood Junction and along Middlefield Road and

Edison Way north of 5th Avenue, and the currently industrially zoned areas around Bay Road and Spring Street and along Edison Way south of 5th Avenue in unincorporated North Fair Oaks; and

WHEREAS, the Planning and Building Department has also prepared amendments to the existing Chapter 29, Design Review and Site Development Permit regulations applicable to the same areas, to ensure consistency between the zoning, the community plan, and the relevant design standards; and

WHEREAS, on May 23, 2019, the North Fair Oaks Community Council recommended adoption of said amendments to the Zoning Regulations; and

WHEREAS, the amendments to the Zoning Regulations will ensure implementation of the goals and vision of the North Fair Oaks Community Plan, as reviewed and approved by the North Fair Oaks Community Council, the Planning Commission, and the Board of Supervisors; and

WHEREAS, the proposed amendments to the Zoning Regulations and associated zoning map amendments are within the scope of the North Fair Oaks Community Plan Program Environmental Impact Report (EIR), and will result in no new impacts and will require no new mitigation measures, and thus pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15168, no additional environmental review is required;

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

* * * * *

SECTION 2. The San Mateo County Ordinance Code (Zoning Regulations), Division VI, Part One, is hereby amended to add Chapter 29.4, CMU-3 (Commercial Mixed Use-3) Zoning District as follows:

CHAPTER 29.4. CMU-3 DISTRICT
(COMMERCIAL MIXED USE-3 DISTRICT, NORTH FAIR OAKS)

SECTION 6570. REGULATIONS FOR “COMMERCIAL MIXED USE-3” DISTRICT.
The following regulations shall apply within those areas in North Fair Oaks which are zoned Commercial Mixed Use-3 (CMU-3).

SECTION 6570.1 PURPOSES.

1. Promote and enhance the creation of an attractive commercial and residential mixed-use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.
2. Provide commercial areas intended primarily for the location of locally-oriented trades and services to meet the needs of both surrounding residential areas.
3. Provide higher-density multifamily housing to address the local and regional need for housing at all income levels.
4. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts.
5. Protect the functional and economic viability of commercial and residential mixed-use areas by restricting incompatible land uses.
6. Support and strengthen the local economy by providing trade and employment opportunities.
7. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6570.2 RELATIONSHIP TO NORTH FAIR OAKS COMMUNITY PLAN. The provisions of this Chapter implement the San Mateo County General Plan, specifically the North Fair Oaks Community Plan. The North Fair Oaks Community Plan has been adopted by the Board of Supervisors as the land use plan for North Fair Oaks, which should be used to provide further guidance in complying with the requirements of this Chapter, and to design and evaluate development proposals for unincorporated North Fair Oaks. However, where any standards or requirements of this Chapter conflict with any provision of the Community Plan, this Chapter shall take precedence and govern.

SECTION 6570.3 DEFINITIONS.

1. Administrative, Professional and Business Offices

Establishments where management, administrative, professional, or consulting services are conducted , including, but not limited to, government, law, real estate, research and development, accounting, and other business offices.

2. Automobile Parts Stores

Indoor commercial establishments specializing in the sale of automobile parts and accessories, with no automobile repair work done on site.

3. Bars

Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.

4. Community Centers

Facilities used by local residents for civic activities, classes, meetings, performances, presentations, or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6102.62.5).

5. Community Gardens

An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.

6. Child Care Centers (Institutional Day Care Facilities for Children)

Licensed facilities, including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.

7. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

8. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students, including conservatories for the instruction of music and the arts.

9. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

10. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens, not including drive-through restaurants, wholesale bakeries or other large-scale food production or processing establishments.

11. Food Establishments Specializing in Take-Out Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or take-out service, but not including drive-through restaurants or businesses engaged exclusively in catering.

12. Home Occupations

Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations (Section 6102.46).

13. Hotels

Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.

14. Indoor Exercise and Leisure Facilities: Small

Facilities of 2,000 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to exercise facilities, dance academies and martial arts studios.

15. Indoor Exercise and Leisure Facilities: Large

Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.

16. Indoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

17. Light Industrial and Production, Distribution and Repair (PDR)

Establishments which provide for wholesale and warehousing uses as well as those industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line of subject property, nor create impacts on adjacent residential, commercial, or other uses. Light industrial and PDR uses include those uses defined in Zoning Regulation Section 6277.2.10, "Indoor Low to Moderate Impact Manufacturing" which do not substantially impact surrounding properties.

18. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock, and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include "pet sitting" or "doggie day

care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

19. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

20. Massage Businesses

Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.

21. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories, acupuncturists, chiropractors, and associated prescription pharmacies.

22. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

23. Mobile Vending/Food Carts

Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.

24. Non-Chartered Financial Institution

Non-Chartered Financial Institutions as defined in Zoning Regulations Section 6567.2.22.

25. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

26. Performing Arts Centers

Facilities used for the presentation of live musical, dance, dramatic or other artistic performances.

27. Parking Lots and Parking Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.

28. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, and barber shops.

29. Pet Sales, Supplies, and/or Grooming Establishments

Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

30. Podium Parking. Surface level parking that is sheltered under an elevated building, often entirely enclosed.

31. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples.

32. Restaurants

Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during

the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.

33. Retail Cleaning Establishments

Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry cleaning pick up stores with limited equipment, except dry cleaners using hazardous materials, such as perchloroethylene or other hazardous materials, and laundromats where coin-operated washers and dryers are provided for self-service to the public.

34. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers, or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

35. Theaters

Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.

36. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

37. Walking Distance

For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this Section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6570.4 PERMITTED USES

1. All new uses and changes of use are subject to the following requirements:

a. All new development projects not requiring a use permit must obtain a site development permit pursuant to Section 6566 et seq. for compliance with design review requirements, in addition to any other required planning permit. Other permits may be required by a combining district. Site development permits are not required for a change of use, regardless of other permit requirements.

b. Regardless of the permit required for new construction, any new use or change of use within an existing structure is governed by the permit requirements described for each use classification below.

c. Horizontal mixed use development is subject to additional standards, as described in Section 6394.9

2. Permitted development types and uses, and permit requirements for each type and use, are as follows:

PERMITTED USES AND DEVELOPMENT TYPES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT¹
New Construction or Comprehensive Redevelopment of Existing Structures	
<p>1. <u>RESIDENTIAL DEVELOPMENT</u></p> <p>A. <u>DWELLINGS</u></p> <p>1. Dwelling, Multiple (not as part of a mixed-use building)</p> <ul style="list-style-type: none"> • On Middlefield Road • Off Middlefield Road <p>2. <u>MIXED-USE DEVELOPMENT</u></p> <p>1. Mixed-use development with ground floor non-residential and residential above the ground floor</p> <p>2. All other mixed-use development, including all types of horizontal mixed use development³</p>	<p>Use Permit</p> <p>None</p> <p>None</p> <p>Use Permit</p>

<p>3. <u>ENTIRELY NON-RESIDENTIAL DEVELOPMENT</u></p> <p>All types of entirely non-residential development</p>	<p>Use Permit</p>
<p>New Uses or Changes of Use in Existing Structures</p>	
<p>4. <u>COMMERCIAL AND OFFICE USE CLASSIFICATION</u></p> <p>A. <u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</u></p> <ol style="list-style-type: none"> 1. Personal Convenience Service Establishments 2. Retail Cleaning Establishments 3. Pet Sales and/or Grooming Establishments 4. Veterinary Hospitals for Small Animals 5. Massage Businesses <p>B. <u>VISITOR SERVING TRADES AND SERVICES</u></p> <ol style="list-style-type: none"> 1. Hotels 2. Theaters 3. Performing Arts Centers 	<p>None</p> <p>None</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p>
<p>C. <u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</u></p> <ol style="list-style-type: none"> 1. Food and Beverage Stores 2. Liquor Stores 3. Indoor Retail Sales, Rental or Repair Establishments 4. Mobile Vending and Food Trucks 	<p>None</p> <p>Use Permit</p> <p>None</p> <p>Use Permit</p>

<p>D. <u>FOOD SERVICES</u></p> <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service 	<p>Use Permit Use Permit None</p>
<p>E. <u>OFFICES, PROFESSIONAL SERVICES</u></p> <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices generally 2. Real Estate Agency and Sales 3. Insurance Sales 4. Medical and Dental Offices 5. Financial Institutions 6. Non-Chartered Financial Institutions 	<p>Use Permit</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Ground floor use in mixed-use residential building: None</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Use Permit</p>
<p>F. <u>INDOOR RECREATION FACILITIES</u></p> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities: Small 2. Indoor Exercise and Leisure Facilities: Large 	<p>None Use Permit</p>
<p>5. <u>INDUSTRIAL USE CLASSIFICATION</u></p>	

A. <u>LIGHT INDUSTRIAL/PDR</u>	Use Permit. Permitted only as a ground floor use in mixed-use projects
6. <u>INSTITUTIONAL USE CLASSIFICATION</u>	
A. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u>	
1. Community Centers	Use Permit
2. Child Care Centers	None
3. Religious Facilities	Use Permit
4. Educational Facilities	Use Permit
7. <u>ACCESSORY USE CLASSIFICATION</u>	
A. <u>RESIDENTIAL ACCESSORY USES</u>	
Home Occupations	Home Occupation Certificate
B. <u>LIMITED KEEPING OF PETS</u>	
Limited Keeping of Pets	None
8. <u>SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS</u>	None
9. <u>OTHER USE CLASSIFICATION</u>	
A. Community Gardens	Use Permit
B. <u>PARKING</u>	
Stand-alone Parking Lots and Parking Garages	Use Permit
C. <u>OTHER COMPATIBLE USES</u>	
Other Compatible Uses	To Be Determined by Community Development Director

SECTION 6570.5 DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq.

ft., except in the case of multi-family attached residential ownership development, which shall have no minimum parcel area. Minimum parcel width shall be 100 feet, except for attached ground floor ownership housing, for which there shall be no minimum parcel width.

2. Building Setbacks and Stepbacks. The minimum building setbacks and stepbacks shall be determined by the parcel’s location, as described below. Regardless of minimum setbacks, all projects must provide sufficient onsite open space to accommodate required low-impact development features, fire access, and other open space required by site conditions.

a. Setbacks:

Parcel Location	Front Setback	Side Setback	Rear Setback
Facing Middlefield Road; adjacent to R-Zoned District	0	On parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot right-of-way measured from back of curb	For buildings with a required stepback as described in 6570.b, no setback for the ground floor podium; for all other buildings, 10 feet
Facing Middlefield Road; adjacent to non-R-Zoned District	0	On parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot right-of-way measured from back of curb	For parcels without rear street frontage, either a 10-foot setback, or for buildings with a building podium as described in Section 6570.b, no setback for the ground floor podium; for parcels with front and rear street frontage, a setback sufficient in combination with existing sidewalk to

			create an 8-foot right-of-way measured from back of curb at the non-Middlefield street side
All other parcels	A minimum setback sufficient in combination with existing sidewalk to create an 8-foot right-of-way	For parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot right-of-way	For parcels without rear street frontage, 10 feet; for parcels with front and rear street frontage, minimum setback sufficient in combination with existing sidewalk to create 8-foot right-of-way measured from back of curb on rear street frontage

b. Stepbacks.

1. Rear Stepbacks:

For parcels on Middlefield Road adjacent to R-Zoned Districts to the rear of the parcel:

- a. For buildings of 40 feet in height or less, no stepback
- b. For buildings greater than 40 feet in height with a podium, a minimum 10 foot stepback at the top of the building podium is required. The rear half of this stepback, closest to the building, may be used for residential balcony space.

For parcels on the north-east side of Middlefield Road:

- c. For parcels without rear street frontage and with a first floor podium, a minimum stepback that in combination with the rear setback equals 10 feet. In all other instances, no rear stepback is required.

2. Front Stepbacks:

For parcels on Douglas Avenue between Middlefield Road and San Mateo Avenue; on First Avenue between Middlefield Road and Edison Way; and on Edison Way between 1st Avenue and 5th Avenue:

- a. A 10-foot stepback immediately above the first building floor is required. However, any building set back at least 8 feet from the front property line shall only be required to provide a minimum 5 foot stepback either immediately above the first floor, or for buildings greater than 60 feet in height, either above the first floor or at 60 feet of building height.

No front stepbacks are required of projects in any other locations.

c. Setback and Stepback Exceptions.

At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.

At the Community Development Director's discretion, building elements intended to meet the façade articulation standards described in Section 6566 of these regulations, "Design Standards and Site Development Permit," may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way, as described in Section 6566.

3. Maximum Building Floor Area

- a. Maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. Maximum building floor area specifically includes: (1) the floor area of all stories, excluding non-habitable space, as measured from the outside face of all exterior walls, and (2) the area of all decks, porches, and balconies or other areas covered by a waterproof roof which extends four or more feet from exterior walls.
- b. The maximum building floor area for institutional uses shall be 100 percent of the parcel area, for commercial uses shall be 150 percent of the parcel area, for industrial shall be 75 percent of the total parcel area, and for mixed-use development shall be 200 percent of the parcel area. There shall be no floor area limitation for 100% residential projects.
- c. Parking areas, including fully or partially enclosed areas dedicated to

parking, shall be excluded from maximum building floor area.

- d. Mixed-use residential projects providing sufficient affordable housing to meet the requirements of the County's Inclusionary Requirement for Affordable Housing may receive relief from floor area limitations, consistent with the requirements of State Density Bonus law.

4. Building Height. The maximum building height shall be:

- a. For parcels, or any portion thereof, which fall within one quarter mile of the crossing of Middlefield Road and the Dumbarton Rail track, except for properties along the southwest side of Middlefield Road: 70 feet
- b. For parcels located between Second Avenue and Fifth Avenue: 50 feet
- c. For parcels located on the south side of Middlefield Road, directly adjacent to residentially-zoned parcels: 60 feet

The minimum building height shall be 36 feet, unless a use permit is obtained, pursuant to Section 6503.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

The Community Development Director may approve the following exceptions to height limits, if the exception is found to be consistent with the standards incorporated in the North Fair Oaks Community Plan:

- a. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation.
- b. Architectural features on buildings located on corner parcels, such as cupolas and turrets, and rooftop gardens on any parcel may extend beyond the normal maximum height.

5. First Floor Height. The first floor height of any vertical mixed-use building must be 12 feet or greater.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

6. Signs.

- a. Prohibited Signs. The following signs shall be prohibited:
- (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
 - (2) Signs having animated, moving, rotating, inflatable, or flashing parts.
 - (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards.
 - (7) Any sign that because of its location, construction or other characteristics will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.
- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
- c. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
- d. Maximum Window Sign Area. Signs located within windows and visible to the public shall not exceed 25% of the area of the window within which the sign is located. Window sign area does not count towards Maximum Total Sign Display Area.
- e. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
- (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.
 - (2) Freestanding signs shall not exceed fifteen (15) feet.
- f. Sign Projection. Attached signs shall not project more than five feet from

the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works, and on El Camino Real, subject to the approval of Caltrans.

- g. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

7. Screening.

- a. Refuse, waste removal, and outdoor service/storage areas, where allowed, shall be screened with a six (6) foot solid wall or opaque fence/gate when the area is visible from a public right-of-way or residentially-zoned parcel.
- b. A minimum six (6), not to exceed eight (8), foot wall shall be erected along the entire common property line where a commercial or mixed use is adjacent to a residentially zoned parcel. Fencing along property lines shall be of opaque materials when visible from a public right-of-way or residentially zoned parcel. The Community Development Director may approve modifications to this standard.
- c. Mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on the roof, ground, or buildings shall be screened with opaque and sound attenuating materials compatible with the building, when visible from or adjacent to a public right-of-way or residentially-zoned parcel.
- d. Fences, walls or screens shall not include barbed or concertina wire, or chain-link fence with or without slats.

8. Horizontal Mixed Use Development - Additional Standards.

Use Permits for horizontal mixed-use development may only be granted when the deciding body issuing the relevant use permit makes all of the following findings:

- a. The horizontal mixed use development is compatible with the surrounding uses, and will not detract from the commercial, pedestrian-oriented character of the street
- b. The horizontal mixed use development has been designed so as to most closely match the intent of mixed use development in this district, as described in Chapter 2 of the North Fair Oaks Community Plan;

- c. The horizontal alignment of the uses is necessary due to specific characteristics of the type or mix of uses in the proposed development, or due to the specific character of the parcel or location of the development; and
- d. Provision of the same uses in a vertical mixed-use design would be unduly costly, burdensome, or would not meet the intent of mixed-use development in this district, as described in Chapter 2 of the North Fair Oaks Community Plan.

SECTION 6570.6 DESIGN STANDARDS. Development must comply with the standards and procedures described in Section 6566, “Design Review and Site Development Permit.”

SECTION 6570.7 PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of evaluation shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk. Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for public health and safety.
3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Non-Chartered Financial Institutions:
 - a. No Non-Chartered Financial Institution may be located within a radius of one thousand (1,000) feet from the nearest existing Non-Chartered Financial Institution.
 - b. No Non-Chartered Financial Institution may be located within a radius of five hundred (500) feet from the following land uses:
 - (1) Residentially zoned parcels.

- (2) Any State or Federally chartered bank, savings association, credit union, or industrial loan company.
 - (3) Religious institution.
 - (4) School or Day Care Facility.
 - (5) Bar or Liquor Store, excluding full service restaurants and alcoholic beverage sales establishments with twenty-five (25) or more full time equivalent (FTE) employees and a total floor area of twenty thousand (20,000) square feet or more.
 - (6) Pawn Shops.
- c. Each new Non-Chartered Financial Institution shall meet the following minimum standards of performance, which shall be included as conditions of approval for such uses, provided that nothing in this Section shall limit the discretion of the decision making body to impose additional performance standards as may be warranted in any given case. These standards are obligations of the owner(s) of the Non-Chartered Financial Institution and are intended to ensure that the Non-Chartered Financial Institution does not negatively impact the public health and safety:
- (1) A lighting plan shall be reviewed and approved by the Community Development Director prior to the issuance of building permits, and all lighting required by the approved plan shall be installed prior to final approval of the building permit. Exterior lighting shall be provided on all frontages. Exterior lighting shall be designed so as not to cast glare off-site.
 - (2) Storefronts shall have glass or transparent glazing in the windows and doors. No more than ten (10) percent of any window or door area shall be covered by signs, banners, or opaque coverings of any kind.
 - (3) Days and hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., seven days a week. The operator shall discourage patrons from loitering prior to, during, and/or after hours of operation. At least one "no loitering" sign with a typeface at least two (2) inches tall shall be installed and maintained where it will be visible to pedestrians on each side of the building in which the activity is located including, but not limited to, street frontages and parking lots.
 - (4) The operator shall remove graffiti from the building that houses the Non-Chartered Financial Institution within seventy-two (72)

hours of application.

- (5) The operator shall remove litter at least two (2) times daily or as needed from in front of the building that houses the Non-Chartered Financial Institution, and for twenty (20) feet beyond the building along adjacent street(s). The operator shall remove, or cause to be removed, all crates, mattresses, and other materials placed within this area immediately.
- (6) The owner or operator shall post at least one (1) uniformed security guard on duty at all times the business is open. The security guard shall patrol the interior and all exterior portions of the property under control of the owner or operator of the Non-Chartered Financial Institution including, but not limited to, parking lots and any open public spaces such as lobbies.

SECTION 6570.8 PARKING. Projects shall provide parking as required by Chapter 3 of the Zoning Regulations, except as provided below:

1. Section 6119, Parking Spaces Required. Section 6119 shall be replaced by Table 1 in this Section 6570.8, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the height of all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

**TABLE 1
REQUIRED PARKING**

USE	PARKING SPACES REQUIRED	
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking:	
	0-1 bedrooms	1 covered
	2 bedrooms	1 covered
	3+ bedrooms	2 covered
	Dwelling Unit Parking in a Mixed-Use Development:	
	0-2 bedrooms	1 covered
	3+ bedrooms	2 covered
	Affordable Housing Parking: (Developments eligible for density bonus)	
	0-1 bedrooms	0.75 covered or uncovered
2 bedrooms	1 covered or uncovered	
3+ bedrooms	1.5 covered or uncovered	

	<p>Visitor Parking: Each Dwelling Unit</p> <p>Private Bicycle Parking: Each Dwelling Unit</p> <p>Public Bicycle Parking: Each 35 feet of street Frontage</p> <p>Electric Vehicle Spaces or Charging Stations: Each project</p> <p>For projects required to provide 20 or more parking spaces</p>	<p>0.1 covered or uncovered</p> <p>0.25 covered or uncovered</p> <p>2 covered or uncovered (consistent with Design Guidelines)</p> <p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>10% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p>
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2. Commercial/Office		
All uses listed under “Specialized Neighborhood Trades and Services” in Section 6570.3, Uses Permitted	Each 300 square feet	1 covered or uncovered
All uses listed under “Visitor Serving Trades and Services,” in Section 6570.3, Uses Permitted	Each 200 square feet	1 covered or uncovered
All uses listed under “Retail Sales, Rental or Repair Establishments,” in Section 6570.3, Uses Permitted	Each 300 square feet	1 covered or uncovered
All uses listed under “Food Services” in Section 6570.3, Uses Permitted (Restaurants, Bars, Food)	Each 250 square feet	1 covered or uncovered
All uses listed under the “Office and Professional Services” in Section 6570.3, Uses Permitted	Each 500 square feet	1 covered or uncovered
All uses listed under “Indoor Recreation Facilities” in Section 6570.3, Uses Permitted	Each 400 square feet	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Each 850 square feet	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1 (consistent with Design Guidelines)
	Public Bicycle Parking: Each 35 feet of street frontage	2 (consistent with Design Guidelines)

	<p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p>	<p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>10% of total spaces provided as EV ready (inclusive of EV spaces and</p>
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3. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6570.3, Uses	Each 400 square feet	1 covered or uncovered
Any Institutional or Other Use in this subsection in a Mixed-Use Development	Each 1,000 square feet	1 covered or uncovered

	Private Bicycle Parking: Each 1,500 sq. ft.	1
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	Public Bike Parking: Each 35 feet of street frontage	2 (consistent with Design Guidelines)
	Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects) For projects required to provide 20 or more parking spaces	A minimum of 1 dedicated EV space or charging station 2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and 10% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)

4. Industrial		
Light Industrial/PDR	1 space per 1,000 sq. ft.	1 covered or uncovered

	<p>Private Bicycle Parking: Each 1,500 sq. ft.</p>	1
	<p>Public Bike Parking: Each 35 feet of street frontage</p>	2 (consistent with Design Guidelines)
	<p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p>	<p>A minimum of 1 dedicated EV space or charging station</p> <p>1 dedicated EV spaces or equivalent charging station capacity</p> <p>5% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p>

SECTION 6570.9. ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6570.8 may be reduced in accordance with the following provisions.

1. Shared Parking.

a. Applicability

Subject to the requirements of this Section 6570.9 and the securing of a Use Permit in accordance with the provisions of Section 6503, an applicant may apply for authorization for shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.

b. Analysis Required

In addition to the procedures established in Section 6503, requests for shared parking shall comply with this Section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a Qualified Professional. A shared parking study shall, at a minimum address:

1. The intensity and type of activities and the composition of uses;
2. Hours of operation of each separate use;
3. The rate of turnover for proposed shared spaces;
4. Distances of shared parking spaces from the uses they serve; and
5. The anticipated peak parking and traffic loads for the site. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.
6. If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

c. Findings Required

Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by Section 6570.8, if the deciding body issuing the use permit makes all of the following findings, in addition to the findings required in Section 6503:

1. The spaces to be provided will be available as long as the uses requiring the spaces are in operation;
2. The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
3. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if shared parking is not provided; and
4. A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, is submitted, and that the agreement includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, modify, amend, or terminate the Use Permit at any time.

2. Off-Site Parking

a. Applicability

Subject to the requirements of this Section 6570.9 and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided (“off-site parking”).

b. Standards Required

In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section’s standards and criteria.

1. Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, or termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking deficiency is remedied.
2. Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
3. In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.

c. Findings Required

A Use Permit authorizing off-site parking may be approved if following findings are made, in addition to the findings required in Section 6503:

1. The off-site spaces will be available as long as the uses requiring the spaces are in operation;
2. The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
3. The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
4. A written agreement between the property owner(s) and the County,

in a form satisfactory to County Counsel, is submitted, and the agreement includes:

- (a) A guarantee that there will be no alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
- (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
- (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
- (d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

d. Exceptions.

In addition to the ability to obtain a use permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6570.8.

The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:

1. The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
2. Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6570.8.

SECTION 3. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6276 through 6276.5, Chapter 17, “M-1/NFO” is hereby repealed in its entirety and replaced with Chapter 17.1, “M-1/NFO” as follows:

CHAPTER 17.1 “M-1/NFO” DISTRICT
(MIXED-USE INDUSTRIAL/NORTH FAIR OAKS DISTRICT)

SECTION 6276. REGULATIONS FOR “M-1/NFO” DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned M-1/NFO.

SECTION 6276.1. PURPOSES. The purposes of the M-1/NFO District are to:

1. Provide industrial areas intended primarily for the location of manufacturing land uses that do not create more than a moderate impact on the surrounding area and are appropriately scaled and set back from adjacent residential land uses.
2. Accommodate a compatible mix of trades and services, transportation, commercial, public, residential, communication, and institutional land uses.
3. Accommodate mixed-use development that will create a vibrant, livable environment for area residents, improving access to local goods, services and employment.
4. Protect the functional and economic viability of industrial areas by restricting incompatible land uses.
5. Implement the policies of the San Mateo County General Plan and the North Fair Oaks Community Plan.

SECTION 6276.2. DEFINITIONS.

1. **Administrative, Professional and Business Offices**

Establishments performing management, administrative, professional or consulting services including, but not limited to, government, law, real estate, accounting and other business offices.

2. **Ambulance and Paramedic Services**

Facilities used for medical emergency response services.

3. **Animal Shelters**

Establishments which temporarily house unwanted animals indoors including, but not limited to, humane societies.

4. Artist Studios

Buildings used for the small-scale production and sale of paintings, graphics, photographs, textiles, sculpture, pottery, and other handmade goods.

5. Auto Shops and Garages

Commercial establishments primarily engaged in motor vehicle maintenance and repair services including, but not limited to, major repair work, painting and body work that occurs within an enclosed covered building. Auto shops and garages do not include salvage yards or junk yards, i.e., auto wrecking and dismantling businesses.

6. Bars

Commercial establishments primarily engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises, which may also offer food and entertainment on a limited basis, but not adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement.

7. Car Washes

Commercial establishments primarily engaged in cleaning cars or other motor vehicles, or in furnishing facilities to the general public for the washing of motor vehicles on the premises. Car washes may include the sale of fuel.

8. Caretaker Units

An area within a building that is intended for residential use by a person(s) to look after the property on which the caretaker's quarters are located, , provided that:

- a. The resident of the dwelling is to be the owner, lessee, or an employee of the owner or lessees, of an industrial use on the site. The use permit application for the development of caretaker quarters shall include a statement explaining the need for caretaker quarters and responsibilities of the caretaker/resident. Issuance of a use permit for caretaker quarters shall not precede the appropriate building permit application(s) for industrial uses on the site consistent with the allowed uses in the M-1 district.
- b. The floor area of the caretaker unit shall not exceed thirty-five (35) percent of the floor area of the main building on the site up to a maximum of 1,200 square feet.

c. Setbacks for caretaker quarters shall conform to Uniform Building Code requirements.

d. Trailers and/or mobile homes for caretaker quarters are not permitted.

9. Catteries

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a cattery include, but are not limited to, grooming, training, and sales of animals and supplies.

10. Child Care Facilities

State-licensed care facility of any capacity, in which less than 24-hour per day non-medical care and supervision are provided to children in a group setting, including but not limited to, infant centers, preschools, and school-age child care centers, not including small or large family child care homes.

11. Construction and Maintenance Trade and Service Establishments

Indoor business establishments consisting of offices, workshops and incidental areas for storage of equipment and supplies that provide services, which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

12. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

13. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

14. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

15. Electronic Game Amusement Arcades

Commercial establishments featuring the operation of six or more coin or token-operated electronic games.

16. Energy Utility Facilities

All gas compression stations, electrical power substations and associated service facilities.

17. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

18. Food Establishments Specializing in Carry-Out or Delivery Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption elsewhere, but may include limited seating or drive-through take-out service.

19. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

20. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

21. Indoor Light Manufacturing

Manufacturing operations, including fabricating, assembling, or processing products from previously manufactured raw, or prepared materials that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor light manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

22. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

23. Indoor Storage of Non-Hazardous Goods, Warehouses, and Distribution

Establishments for receiving, storing and transporting goods and materials that require protection from the elements, including but not limited to associated handling equipment, facilities for refrigeration shipping operations and associated trucking, and the needs of the operating personnel within one or more completely enclosed, covered structures, excluding acutely hazardous materials, as defined in the California Administrative Code.

24. Indoor Theaters

Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.

25. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or uses of a similar nature.

26. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully

permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

27. Live/Work Units

A single unit (e.g., studio, loft, or one bedroom) consisting of both commercial/office and residential components that is occupied by, and is the primary residence of, the same resident.

28. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

29. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

30. Motor Vehicle Fuel Sales or Charging Stations

Commercial establishments primarily engaged in the sale of gasoline or other combustive fuels to the general public, often on a self-service basis.

31. Motor Vehicle Sales or Rentals

Indoor commercial establishments primarily engaged in the retail sale or rental of motor vehicles or mobile homes, and which may include repair or service departments and sales of replacement parts and accessories.

32. Motor Vehicle Service Stations

Commercial establishments primarily engaged in the sale of fuel, or provision of electric vehicle charging, the servicing of motor vehicles and the provision of services to motorists including, but not limited to, the sale of vehicle parts and accessories, the performance of minor repairs and the sale of refreshments and sundry items.

33. Night Clubs with Entertainment

Commercial establishments that provide food, drink, and entertainment, such as musical or comedic performances, but do not provide adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement.

34. Other Compatible Uses

Additional land uses may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

35. Parking Garages

Public and private facilities which provide designated spaces for temporary storage of operable and currently registered motor vehicles only within a multi-story structure, including but not limited to the storage and retrieval of autonomous vehicles.

36. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

37. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

38. Restaurants

Commercial establishments which primarily serve prepared food to the general public for immediate consumption on the premises. Restaurants may include a bar as defined in Section 6102.13.1.

39. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

40. Small Solid Waste Collection Facilities

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

41. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

42. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

43. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

SECTION 6276.3. USES PERMITTED.

For all new development in this district, any development not requiring a conditional use permit requires a Site Development Permit as described in Section 6566. Changes of use do not require a Site Development Permit, regardless of other permits required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
A. <u>LIGHT MANUFACTURING AND STORAGE</u>	
1. Indoor Light Manufacturing	None
2. Indoor Storage of Non-Hazardous Goods	None
3. Distillation of Spirits and Wine, and Beer Brewing	Use Permit
4. Research and Development Facilities	None
5. Artist Studios	None
6. Server Farms	None
B. <u>WHOLESALE TRADES AND SERVICES</u>	
1. Indoor Wholesale Establishments	None

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
2. Wholesale Cleaning Establishments	None
C. <u>CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES</u> Construction and Maintenance Trade and Service Establishments (Indoor)	None; allowed only as part of an already existing structure
D. <u>RESIDENTIAL USES</u> 1. Live/Work Units	Use Permit
2. Dwelling - Multiple	Use Permit; allowed only on parcels entirely within 200 feet of Fair Oaks Avenue, and parcels on 2 nd Avenue between Fair Oaks and Spring Street
E. <u>MOTOR VEHICLE-RELATED TRADES AND SERVICES</u> 1. Motor Vehicle Fuel Sales or Charging Stations 2. Motor Vehicle Service Stations	Use Permit Use Permit; allowed only within existing structure
3. Auto Shops and Garages 4. Motor Vehicle Sales or Rentals 5. Car Washes	Use Permit; allowed only within an existing structure Use Permit; allowed only within an existing structure None; allowed only within an existing structure
F. <u>PROFESSIONAL SERVICES</u>	

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
1. Administrative, Professional and Business Offices	Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage
2. Medical and Dental Offices 3. Financial Institutions	Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage
G. <u>FOOD SERVICES</u>¹ 1. Restaurants 2. Food Establishments Specializing in Carry-Out or Delivery Service 3. Bars	Use Permit Use Permit Use Permit
H. <u>MIXED-USE DEVELOPMENT</u> Mixed Use Development	Use Permit
I. <u>NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES</u> Small Solid Waste Collection Facilities	None
J. <u>EMERGENCY FACILITIES</u>	

¹Off-premise activities may be permitted, except for Bars.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
Ambulance and Paramedic Services ²	Use Permit
K. <u>INDOOR RECREATION FACILITIES</u> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities 2. Indoor Theaters 3. Night Clubs with Entertainment 4. Electronic Game Amusement Arcades 	None Use Permit Use Permit None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage
L. <u>UTILITY FACILITIES</u> Energy Utility Facilities	Use Permit
M. <u>RADIO, TELEVISION AND TELEPHONE FACILITIES</u> <ol style="list-style-type: none"> 1. Radio and Television Stations 2. Telephone Communication Facilities 	None None
N. <u>LIMITED KEEPING OF PETS</u> Limited Keeping of Pets	None
O. <u>SERVICES AND ENTERPRISES RELATED TO ANIMALS</u> <ol style="list-style-type: none"> 1. Veterinary Hospitals for Small Animals 2. Animal Shelters 3. Indoor Kennels 4. Catteries 	None Kennel/Cattery Permit Kennel/Cattery Permit Kennel/Cattery Permit

² Not allowed within 100 feet of any residential structure.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
P. <u>PARKING</u> Parking Garages	Use Permit
Q. <u>INSTITUTIONAL USE CLASSIFICATION</u>	
1. Community Centers	Use Permit
2. Child Care Centers	Use Permit
3. Religious Facilities	Use Permit
4. Educational Facilities, Trade and Vocational Schools	Use Permit
R. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses	To Be Determined By Community Development Director

SECTION 6276.4. DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 10,000 sq. ft. and the minimum average parcel width shall be one-hundred (100) feet.
2. Minimum Building Setbacks. The minimum building setbacks shall be:
 - a. When the rear portion of an M-1/NFO zoned parcel is adjacent to a residentially zoned parcel, the building shall have a minimum 6-foot set back from the residential property line.
 - b. All projects must provide at least 5-foot-wide sidewalks, measured from existing back of curb, or from the edge of the street right of way where no curb exists, on all streets adjacent to the parcel, on the parcel side only. Parcels facing Bay Road, Edison and Fair Oaks and Second Avenues shall provide 8-foot sidewalks along Bay Road, Fair Oaks Edison and Second Avenues, measured from existing back of curb, or from the edge of the street right of way where no curb exists, consistent with the Public Realm Design Standards in Chapter 29.
 - c. Otherwise, the minimum setbacks are:

Required Setbacks			
Use	Front	Side	Rear
Residential	5 feet minimum 15 feet maximum	0	0
Commercial (Retail/Office)	0 feet minimum 10 feet maximum	0	0
Institutional	0 feet minimum 10 feet maximum	0	0
Industrial	10 feet minimum 20 feet maximum	0	0
Mixed-Use	Determined by ground floor use	0	0

d. Setback and Stepback exceptions.

At the Community Development Director’s discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director’s finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.

At the Community Development Director’s discretion, building elements intended to meet the façade articulation standards described in Section 6566 of these regulations, “Design Standards and Site Development Permit,” may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way, as described in Section 6566.

Regardless of required setbacks, all projects shall reserve sufficient open space to accommodate required pervious surface pursuant to the County’s Stormwater and Drainage Ordinance and Municipal Regional Permit for stormwater management.

3. Maximum Building Coverage. Maximum building coverage shall be eighty percent and shall include all: (1) buildings, (2) accessory buildings, and (3) structures such as patios, decks, balconies, and other similar uses which are eighteen (18) inches or more above the ground.
4. Maximum Building Floor Area. The maximum building floor area shall be limited by the following maximum ratio of building floor area to parcel area:

Maximum Building Floor Area	
Use	Maximum Floor Area Ratio
Residential	-
Commercial (Retail/Office)	0.75
Institutional	1.25
Industrial	1.25
Mixed-Use	1.0

The building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. Maximum building floor area specifically includes: (1) the floor area of all stories, excluding uninhabitable or non-working areas, as measured from the outside face of all exterior walls, and (2) all other areas covered by a waterproof roof which extends 4 or more feet from exterior walls, over the area of all decks, porches, and balconies. Enclosed parking areas shall be excluded from total building floor area.

5. Maximum Building Height. The maximum building height of all allowed uses shall be 40 feet.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, mechanical equipment, antennae, and other similar structures may extend beyond 40 feet to a maximum of 46 feet as required for safety or efficient operation.

6. All projects shall comply with Section 6401.2, which requires that all activities in any M-1 District shall be conducted entirely within an enclosed structure unless a use permit is obtained under the provisions of Chapter 24 of this Part for the conducting of such use wholly or in part outside of such structure, excepting reverse vending machines and small collection facilities for recyclable materials.

7. Signs.

a. Prohibited Signs. The following signs shall be prohibited:

- (1) Any sign that, because of its location, construction, color, or operating characteristics, can be confused with a traffic control device or emergency vehicle.
- (2) Signs having animated, moving, rotating, inflatable, or flashing parts.

- (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards. Existing billboards shall be considered legal non-conforming uses upon adoption of this ordinance and shall be subject to the provisions of the Non-Conforming Uses Chapter of the Zoning Regulations. Relocation of billboards, due to street widening or other right-of-way improvements, shall be subject to the provisions of the State of California Business and Professions Code (Section 5412).
- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one (1) sign per parcel, or one (1) sign per each 200 feet of parcel street frontage, or one (1) sign per business, whichever is greatest.
 - c. Maximum Total Sign Display Area. The maximum total display area of all signs on a parcel is three-quarters (0.75) square foot per foot of parcel street frontage.
 - d. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.
 - (2) Freestanding signs shall not exceed fifteen (15) feet unless located adjacent to or across from a residentially zoned parcel, in which case such signs shall not exceed eight (8) feet.
 - e. Sign Projection. Attached signs shall not project more than four (4) feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works.
 - f. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.
8. Screening.
- a. Refuse, waste removal, and outdoor service/storage areas, where allowed, shall be screened with a six (6) foot solid wall or opaque fence/gate when visible from a public way or residentially zoned parcel.

- b. A minimum six (6), not to exceed eight (8), foot masonry wall shall be erected along the entire common property line where an industrial use abuts a residentially zoned parcel. Other fencing along property lines shall be of opaque materials when visible from a public way or residentially zoned parcel and shall not include barbed wire.
- c. Mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on roof, ground, or buildings shall be screened with opaque materials compatible with the building, when visible from a public way or residentially zoned parcel.
- d. All outdoor activities and operations not otherwise subject to the requirements of this Section shall be screened with a six (6) foot solid wall or opaque fence/gate, or other material approved by the Community Development Director.

SECTION 6276.5. DESIGN STANDARDS. All Mixed-use and Residential development in the M-1/NFO District must comply with the design standards described in Section 6566.15 and 6566.16, and must obtain a site development permit according to the procedures and requirements described herein. All other projects shall be consistent with the following:

- 1. Building Design. Building design shall promote good transitions in scale and character when adjacent to or across the street from residential uses. In such cases, and where parcels have street frontages exceeding fifty (50) feet, building massing shall be staggered on the side(s) exceeding 50 feet in length and/or the sides across the street from residential uses.
- 2. Materials and Colors.
 - a. Prohibit the use of exposed cinder block on new development when located adjacent to or across the street from a residentially zoned parcel(s).
 - b. Minimize the use of colors that are brilliant, deep, highly contrasting and reflective (e.g.: pink, orange, blue, and purple). Use of these colors shall not cover more than twenty percent of any one exterior side of a building.
- 3. Landscaping.
 - a. When a parcel is located across the street from a residentially zoned parcel, the required front setback shall be landscaped to include trees (minimum 15-gallon size) at the rate of one tree per twenty-five feet of street frontage width.

When the determination of the number of trees results in a fractional number, any fraction of one-half or greater shall be rounded up to the next whole number. Any fraction less than one-half shall be disregarded.

- b. Off-street parking areas shall be screened with earthen berms and landscaping, including one tree (minimum 15-gallon size) per two (2) parking spaces, when located adjacent or across from a residentially zoned parcel.
4. Utilities. Install all new distribution lines underground. Minor renovations or additions to existing development can be exempted from this standard by the Community Development Director.

SECTION 6276.6. PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of determination shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which exceeds the noise levels established in Section 4.88.330 in the County Ordinance Code:
2. Dust and Odor. No use will be permitted which emits dust, an odor or air pollutant, detectable without instruments, beyond the boundaries of the M-1/NFO District.
3. Vibration. No use will be permitted which causes vibration perceptible without instruments on adjoining property, except for temporary construction operations.
4. Lighting. Exterior lighting, including sign lighting, shall be located and directed so that direct rays and glare are confined to the premises.
5. Trash and Debris. All trash, boxes, or similar debris shall be picked up daily and stored in refuse containers that are screened from public view.
6. On-Site Activities. All uses, activities or operations shall be conducted entirely on the parcel, except that food service activities may occur beyond the parcel, as described in Section 6276.3.
7. Compliance with Applicable Law. All uses shall comply with applicable County, State and federal laws.

SECTION 6276.7. PARKING. Projects shall provide parking as required by Chapter 3 of the Zoning Regulations, except as provided below.

1. Section 6119, Parking Spaces Required. Section 6119 shall be replaced by

Table 1 in this Section 6276.7, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.

2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the M-1/NFO District, a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the heights for all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

**TABLE 1
REQUIRED PARKING**

USE	PARKING REQUIRED ¹
1. Light Industrial and Mixed Use Industrial²	
Indoor Light Manufacturing	1 space per 1500 sq. ft.
Indoor Storage of Non-hazardous goods	1 space per 2000 sq. ft.
Distillation of Spirits and Wine and Brewing of Beer	1 space per 1,500 sq. ft. 1 space per 200 sq. ft. of tasting area
Research and Development	1 space per 750 sq. ft.
Artist Studio	2 per unit, 1 per 500 square feet for shows (can be shared parking)
Server Farms	1 space per 2,000 sq. ft.
2. WHOLESALE TRADES AND SERVICES	
Indoor Wholesale Establishments	1 space per 750 sq. ft.
Wholesale Cleaning	1 space per 1,500 sq. ft.
3. CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES⁵	
Construction or Maintenance Trade or Services Establishments	1 space per 1,500 sq. ft.

¹ Parking may be covered or uncovered unless otherwise specified.

² 1 space for each 2 employees on largest shift; in no case less than 1 space for each 2,000 sq. ft. of floor area may be allowed, pursuant to a conditional use permit.

4. RESIDENTIAL USES		
Townhouses and Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms	1 covered
	2+ bedrooms 3+ bedrooms	1 covered 2 covered
Live/Work Units	Visitor Parking:	1 space per 5 units
	Affordable Housing Parking: (Developments eligible for density bonus)	
	0-1 bedrooms	0.75 covered or uncovered
	2 bedrooms	1 covered or uncovered
	3+ bedrooms	1.5 covered or uncovered
	Bicycle Parking:	0.25 per Dwelling Unit
	Public Bike Parking:	1 for each 35 feet of street frontage
	Electric Vehicle Charging Stations: Each project	1 minimum and 10 percent of required parking over 10 spaces
	0-1 bedrooms	1 covered
	2+ bedrooms 3+ bedrooms	1 covered 2 covered

5. MOTOR VEHICLE-RELATED TRADES AND SERVICES		
Motor Vehicle Fuel Sales or Charging Stations	1 space per 400 sq. ft.	
Motor Vehicle Service Stations	1 space per 250 sq. ft.	
Autos Shops and Garages, Motor Vehicle Sales or Rentals, Car Washes	1 space per 500 sq. ft.	
6. PROFESSIONAL SERVICES, COMMERCIAL/OFFICE		
Administrative, Professional and Business Offices	1 space per 400 sq. ft.	
Child Care Center	1 space per 500 sq. ft.	
Medical and Dental Offices	1 space per 250 sq. ft.	
Financial Institutions	1 space per 400 sq. ft.	
Trade and Vocational Schools	1 space per 200 sq. ft.	
	Private Bicycle Parking: Each 1,000 sq. ft.	1 (consistent with Design Guidelines)
	Public Bike Parking: Each 35 feet of street frontage	2 (consistent with Design Guidelines)
	Electric Vehicle Charging Station: Each project	1 minimum and 10 percent of required parking over 10 spaces
7. FOOD SERVICES		
Restaurants	1 space per 750 sq. ft.	
Food Establishments Specializing in Carry Out or Deliver Service	1 space per 850 sq. ft.	
Bars	1 space per 750 sq. ft.	

8. SOLID WASTE RECYCLING FACILITIES		
Small Solid Waste Collection Facilities	2 spaces per facility	
9. EMERGENCY FACILITIES		
Ambulance and Paramedic Services	1 space per 750 sq. ft.	
10. INDOOR RECREATION FACILITIES		
Indoor Exercise and Leisure Facilities	1 space per 750 sq. ft.	
Indoor Theaters	1 per five seats	
Night Clubs with Entertainment	1 space per 200 sq. ft.	
Electronic Game Amusement Arcades	1 space per 400 sq. ft.	
11. UTILITY FACILITIES		
Energy Utility Facilities	1 space per 750 sq. ft.	
12. RADIO, TELEVISION AND TELEPHONE FACILITIES		
Radio and Television Stations	Up to 750 sq. ft. and each 750 sq. ft. thereafter	
Telephone Communication Facilities		
13. ANIMAL-RELATED SERVICES AND FACILITIES		
Veterinary Hospitals for Small Animals	1 space per 750 sq. ft.	
Animal Shelters		
Indoor Kennels		
Catteries		
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2 (consistent with Design Guidelines)

	Electric Vehicle Charging Stations: Each project	1 minimum and 10 percent of required parking over 10 spaces
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14. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6576.3, Uses	1 space per 400 sq. ft.	
Any Institutional or Other Use in this subsection in a Mixed-Use Development	1 space per 1,000 sq. ft.	

	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2 (consistent with Design Guidelines)

	<p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p>	<p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>5% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p>
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SECTION 4. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6277 through 6277.5, Chapter 17, “M-1/Edison/NFO” is hereby repealed in its entirety and replaced with Chapter 17.2, “M-1/Edison/NFO” as follows:

CHAPTER 17.2 “M-1/EDISON/NFO” DISTRICT
(MIXED-USE INDUSTRIAL/EDISON/
NORTH FAIR OAKS DISTRICT)

SECTION 6277. REGULATIONS FOR “M-1/EDISON/NFO” DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned M-1/NFO/Edison.

SECTION 6277.1. PURPOSES. The purposes of the M-1/Edison/NFO District are to:

1. Provide industrial areas intended primarily for the location of light manufacturing land uses that minimize the impact on and are adequately scaled and set back from residential land uses.
2. Ensure that allowed uses are compatible with surrounding residential land uses through appropriate development and performance standards as applied to new development.
3. Accommodate commercial, public and institutional and residential uses where compatible with surrounding light industrial uses.
4. Protect the functional and economic viability of industrial areas by restricting incompatible land uses.
5. Support and strengthen the local and regional economy by providing trade, production, and employment opportunities.
6. Implement the policies of the San Mateo County General Plan and the North Fair Oaks Community Plan.

SECTION 6277.2. DEFINITIONS.

1. **Administrative, Professional and Business Offices**

Establishments performing management, administrative, professional or consulting services including, but not limited to, government, law, real estate, accounting and other business offices.

2. Artist Studios

Buildings used for the small-scale production and sale of paintings, graphics, photographs, textiles, sculpture, pottery, and other handmade goods.

Autonomous Vehicle Storage and Retrieval

Autonomous vehicle storage and retrieval facilities that are fully enclosed within a building.

Caretaker Quarters

An area within a building that is intended for residential use by a person(s) to look after the property on which the caretaker's quarters are located, , provided that:

- a. The resident of the dwelling is to be the owner, lessee, or an employee of the owner or lessees, of an industrial use on the site. The use permit application for the development of caretaker quarters shall include a statement explaining the need for caretaker quarters and responsibilities of the caretaker/resident. Issuance of a use permit for caretaker quarters shall not precede the appropriate building permit application(s) for industrial uses on the site consistent with the allowed uses in the M-1/Edison/NFO district.
- b. The floor area of the caretaker unit shall not exceed thirty-five (35) percent of the floor area of the main building on the site up to a maximum of 1,200 square feet.
- c. Setbacks for caretaker quarters shall conform to Uniform Building Code requirements.
- d. Trailers and/or mobile homes for caretaker quarters are not permitted.

Catteries

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a cattery include, but are not limited to, grooming, training, and sales of animals and supplies.

3. Child Care Centers (Institutional Day Care Facilities for Children)

Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.

4. Civil Defense Operations

Facilities used for emergency supply, storage and shelter.

5. Construction and Maintenance Trade and Service Establishments

Business establishments consisting of offices, workshops and limited areas for storage of equipment and supplies that provide services which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

6. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

7. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

8. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade, vocational or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

9. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

10. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

11. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

12. Indoor Light Manufacturing

Manufacturing operations including fabricating, assembling, or processing products from previously manufactured or prepared materials (rather than from raw materials) that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor low to moderate impact manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

13. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

14. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or permitted uses of a similar nature.

15. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

16. Live/Work Units

A single unit (e.g. studio, loft, or one bedroom) consisting of both a commercial/office and residential components that are occupied and operated by the same resident/business owner. The live/work unit shall be the primary dwelling of the occupant.

17. Medical and Dental Offices

Establishments, only as part of a mixed use project, providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

18. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

19. Other Compatible Uses

Additional land uses may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

20. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

21. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

22. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

23. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

24. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

25. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

SECTION 6277.3. USES PERMITTED.

For all new development in this district, any development not requiring a conditional use permit requires a Site Development Permit as described in Section 6566. Changes of use do not require a Site Development Permit, regardless of other permits required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
A. <u>LIGHT MANUFACTURING AND STORAGE</u>	
1. Indoor Light Manufacturing	Use Permit
2. Indoor Storage of Non-Hazardous Goods	Use Permit
3. Distillation of Spirits and Wine, and Beer Brewing	Use Permit
4. Research and Development Facilities	Use Permit
5. Artist Studios	None
6. Server Farms	None

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
B. <u>WHOLESALE TRADES AND SERVICES</u> 1. Indoor Wholesale Establishments 2. Wholesale Cleaning Establishments	Use Permit Use Permit
C. <u>CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES</u> Construction and Maintenance Trade and Service Establishments (Indoor)	Use Permit
D. <u>RESIDENTIAL USES</u> 3. Live/Work Units	Use Permit
4. Dwelling - Multiple	Use Permit
E. <u>PROFESSIONAL SERVICES</u> 1. Administrative, Professional and Business Offices (only in mixed-use developments) 2. Medical and Dental Offices 3. Financial Institutions	Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
F. MIXED-USE DEVELOPMENTS	
1. Mixed-use development of all type	Use Permit
G. <u>NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES</u> Small Solid Waste Collection Facilities	None
H. <u>INDOOR RECREATION FACILITIES</u> 1. Indoor Exercise and Leisure Facilities	None
I. <u>RADIO, TELEVISION AND TELEPHONE FACILITIES</u> 1. Radio and Television Stations 2. Telephone Communication Facilities	None None
J. <u>LIMITED KEEPING OF PETS</u> Limited Keeping of Pets	None
K. <u>SERVICES AND ENTERPRISES RELATED TO ANIMALS</u> 1. Veterinary Hospitals for Small Animals 2. Animal Shelters 3. Indoor Kennels 4. Catteries	None Kennel/Cattery Permit Kennel/Cattery Permit Kennel/Cattery Permit
L. <u>PARKING</u> Parking Garages	Use Permit
M. <u>INSTITUTIONAL USE CLASSIFICATION</u>	
1. Community Centers	Use Permit
2. Child Care Centers	Use Permit
3. Religious Facilities	Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
4. Educational Facilities, Trade and Vocational Schools	Use Permit
N. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses	To Be Determined By Community Development Director (Use Permit May Be Required)

SECTION 6277.4. DEVELOPMENT STANDARDS. All new development must meet the minimum standards as specified in Section 6276.4.

SECTION 6277.5. DESIGN STANDARDS. All development in the M-1/NFO/Edison District must comply with the design standards described in Section 6276.5 and must obtain a site development permit according to the procedures and requirements described in Section 6566, unless a use permit is required, which will be reviewed according to the procedures and requirements of Section 6503.

SECTION 6277.6. PERFORMANCE STANDARDS. Performance Standards shall be as specified in Section 6276.6.

SECTION 6277.7. PARKING. Parking Standards shall be as specified in Section 6276.7.

SECTION 5. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6277 through 6277.5, Chapter 29, “Design Review and Site Development Permit” is hereby repealed in its entirety and replaced with Chapter 29, “Design Review and Site Development Permit” as follows:

CHAPTER 29. DESIGN REVIEW AND SITE DEVELOPMENT PERMIT

SECTION 6566. SITE DEVELOPMENT PLAN REVIEW, APPROVAL. The following regulations shall apply to all areas within North Fair Oaks zoned Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-2 (CMU-2), Commercial Mixed Use-3 (CMU-3), Neighborhood Mixed Use-EI Camino Real (NMU-ECR), and certain projects in areas zoned M-1/NFO, and M-1/NFO/Edison.

SECTION 6566. A PURPOSES. The purpose of the design review and site development permit process is to provide a unified manner in which developments are reviewed, by bringing to bear all of the required criteria and reviews in a single procedure, incorporating to the extent possible, zoning review, review of required environmental mitigation, and design review.

It is not the purpose of this Chapter that regulation of design should be so rigidly interpreted that individual initiative is precluded in the design of any particular building or substantial additional expense is incurred. It is the intent of this Chapter that any regulation exercised shall be that necessary to achieve the overall objectives of the North Fair Oaks Community Plan.

SECTION 6566.1. DESIGN AND ZONING REVIEW. When the Community Development Director or designee determines a project in the CMU-1, CMU-2, CMU-3, NMU-ECR, M-1/NFO or M-1/Edison/NFO zones is in full compliance with zoning and with the design standards and other requirements in this chapter, or in the case of minor exceptions as determined by the Community Development Director, a site development permit may be granted without a public hearing. Approval of site development permits will be noticed to surrounding property owners within 300 feet of the project.

SECTION 6566.2. APPLICATION FOR SITE DEVELOPMENT PERMIT.

- A. For all projects not requiring a use permit, the applicant shall submit a Site Development Plan (“SDP”) which shall be sufficiently detailed to completely describe the operation and appearance of the project when fully constructed and shall include the following elements:
1. All required components of an application specified in Section 6565.6.
 2. Plans showing street trees and bicycle parking or other necessary improvements in the public right-of-way.
 3. Easement dedicating any required setback to be used as a sidewalk by the public.
 4. A traffic and transit impact analysis.
 5. Transportation demand management measures, consistent with the City/County Association of Governments (“CCAG”) Land Use Component of the Congestion Management Program for San Mateo County, such as transit passes or other programs as needed to address project traffic or public transit impacts, consistent with the County Transportation Plan.

6. A comparative analysis of project environmental impacts with those identified in the North Fair Oaks Community Plan Environmental Impact Report; any additional environmental analysis and related mitigation measures required of the project; and demonstration that all applicable mitigation measures have been addressed.
7. Fees as set by resolution of the Board of Supervisors.
8. For projects 1) located in CMU-1, CMU-2, or NMU-ECR zoning districts, 2) located within 100 feet of the Caltrain rail right-of-way, unless and until the Caltrain is electrified, and 3) projects less than 100 feet from the Dumbarton rail right-of-way, unless and until train service on the Dumbarton right-of-way is permanently discontinued, or electrified, or developed with another low-emission transportation type:

An air quality analysis. A site specific health risk assessment (HRA) prepared by a qualified air quality specialist in accordance with California Air Resources Board and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents, occupants and visitors to air pollutants. If the HRA demonstrates that the health risk is at or below safe levels, then health risk reduction measures are not required. If the HRA shows sensitive receptors will be exposed to air pollution, such as particulate matter 2.5Mg and toxic air contaminants at levels above safe levels, best practices, e.g., filtration, fixed windows, etc., must be included in the project application to reduce exposure to safe levels. The HRA shall be prepared in consultation with the Bay Area Air Quality Management District and approved by the County.

- B. For projects requiring a use permit, the project shall not be subject to site development permit requirements, and shall be reviewed and approved according to the requirements in Chapter 24 of these regulations, except that any required design review shall be conducted by staff, as described in this Chapter.

SECTION 6566.3. REVIEW AND APPROVAL PROCEDURES.

- A. Within 30 days of receipt of a site development permit application, the Planning and Building Department shall inform the applicant in writing whether the application is complete and accepted for filing. If the application is deemed incomplete, the Planning and Building Department shall specify the deficiency and indicate what additional information is required.
- B. Complete applications will be reviewed for consistency with applicable zoning, and with the design guidelines in this Chapter. The Community Development Director (Director) or designee may approve a site development permit, subject to the following findings:

1. The project is consistent with all applicable zoning requirements;
 2. The project is consistent with the design standards in this Chapter; and
 3. A comparative analysis of project environmental impacts with those identified in the North Fair Oaks Community Plan Environmental Impact Report required in Section 6566.2 did not identify any additional environmental analysis and/or related mitigation measures required of the project; and that all applicable mitigation measures have been included in the project application.
- C. A site development permit must be obtained prior to submitting an application for any necessary building permit.

SECTION 6566.4. AMENDMENT OF SITE DEVELOPMENT PERMIT.

- A. Subsequent to the granting of a site development permit pursuant to this Chapter, the Director or designee may approve amendments to the approved plans which, in the judgment of the Director or designee, are minor in nature, without the public notice, hearing or appeal otherwise required or authorized by this Chapter. Such approval shall be in writing. Other amendments shall be processed as new applications.
- B. Minor amendments may include, but are not limited to: interior modifications; relocations of doors and windows; adjustments in roof pitch or design; minor relocations of walls, fences or signs; and other adjustments in design, all only to the extent that they will not, in the judgment of the Director, have an adverse effect on compliance with design standards or zoning regulations applicable to the project.

SECTION 6566.5. EXPIRATION OF SITE DEVELOPMENT PERMIT.

- A. Site development permits granted pursuant to this Chapter shall expire five (5) years from the date of approval if the applicant has not obtained all other permits required for the project and has not initiated construction.
- B. Upon written request of the applicant, the Director may extend the expiration period for site development permits for an additional one year.

SECTION 6566.6. INSPECTION AND OCCUPANCY. The completed building and project site, including any public realm improvements must be inspected for compliance with the site development permit by the Building Official, before a certificate of occupancy is issued.

SECTION 6566.8. PRE-DESIGN CONFERENCE. Prior to submitting an application for a site development permit, the project designer and applicant shall request and participate in a pre-design conference with the Director or designee. During the pre-design conference, the designer and applicant shall be provided with written copies of the Zoning Regulations and design review standards and guidelines applicable to the property and project in question, shall review same with the designer and applicant and shall answer any questions concerning appropriate design of the project. The intent of the pre-design conference is to ensure that the designer and applicant are aware of the design standards and expectations of the County prior to commencing design of a project.

SECTION 6566.9. EXCEPTIONS. The Director or designee may except minor activities which otherwise require a site development permit from the requirements of this Chapter when such activities, in the judgment of the Director, are minor in nature and will not have an adverse effect on compliance with design standards or guidelines or zoning regulations applicable to the property or structure in question. Minor projects include interior remodels, repair and maintenance, and minor exterior modifications that comply with the design standards, or other minor exceptions determined at the Director's discretion, including exceptions to the otherwise applicable design standards. Applications for exceptions shall be filed in the manner prescribed by the Director and shall be accompanied by fees as set by resolution of the Board of Supervisors. Exceptions shall be documented by the Director, whose decision on exceptions shall be final, except in the case of minor design exceptions, as described below.

A minor design exception from the standards in Sections 6566.15, 6566.16, 6566.17, and 6566.18 may be granted by the Director in a site development permit upon a finding by the Director that the exception 1) is necessary for compliance with the site planning and design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.14.; 4) will be compatible with the neighborhood surrounding the parcel, and 5) will not be detrimental to the public welfare. The Director may require modifications to the proposal, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission, as specified in Section 6565.11.

SECTION 6566.10. MAJOR DESIGN EXCEPTIONS. The Planning Commission, at a public hearing, may grant a use permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.

SECTION 6566.11. USE PERMITS. Projects requiring a use permit shall follow the procedures established in Section 6503 of the Zoning Regulations.

SECTION 6566.12. PUBLIC NOTICING. Public notice of approved site development permits shall be provided to all property owners within 300 feet of the exterior limits of the property or properties.

SECTION 6566.13. APPEALS. Approved site development permits may be appealed within ten (10) working days of issuance only by aggrieved persons as defined in Section 6565.11 of the Zoning Regulations. The Planning Commission shall review and consider points of appeal and issue a decision to uphold the Director's decision, remand to the Director with instructions for modifications or deny the appeal. The decision of the Planning Commission is final and may not be appealed. Applications for appeal shall conform to standard appeal procedures of the Planning and Building Department.

SECTION 6566.14. DESIGN STANDARDS. These design standards shall apply to projects in all areas within North Fair Oaks zoned Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-2 (CMU-2), Commercial Mixed Use-3 (CMU-3), Neighborhood Mixed Use-El Camino Real (NMU-ECR), and certain areas of the Industrial Mixed Use-North Fair Oaks (M1/NFO) and Industrial Mixed Use Edison (M-1/NFO/Edison). Projects shall also address the Design Standards and Guidelines in Chapter 7 of the *North Fair Oaks Community Plan* to the maximum extent practicable.

SECTION 6566.15. PUBLIC REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT- BASE STANDARDS. Public realm improvements are those improvements required of a project that will be located in the public right of way.

A. Traffic Calming Devices at traffic ingress/egress crossing public right-of-way

All projects shall:

1. Provide traffic calming elements, including at least one of the following: changes in surface texture, audible alarms, and lights to slow cars and alert pedestrians of approaching vehicles at garage and parking lot entry/exits.

B. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:

1. Create continuous accessible paths in all projects to the extent required by the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations).
2. In the CMU-1, CMU-2, and NMU-ECR districts, provide a minimum 10-foot-wide sidewalk on El Camino Real and 5th Avenue and 8-foot-wide sidewalks on side streets. In the CMU-3 district on all streets except Middlefield Road, and in the M-1/NFO and M-1/NFO/Edison districts on Bay Road, Fair Oaks Avenue, Second Street, and Edison Way, provide at least 8-foot-wide sidewalks. Wider sidewalks shall be provided where feasible. Commercial uses can temporarily

occupy that portion of El Camino Real sidewalk held in private ownership, or the public- or privately-owned 5th Avenue sidewalk with moveable furnishings or racks as long as a minimum 4-foot-wide continuous ADA accessible path is maintained at all times. Sidewalk widths shall be measured from existing back of curb, or from the edge of the street or alley right of way where no curb exists.

3. Provide street trees for all projects, approximately 36 inches in from face of curb to the trunk, approximately 35 feet on center on all streets adjoining the project, on the parcel side only. Additional trees shall be planted in raised curb planters between the sidewalk and roadway within parking areas to provide shade and comfort for all users of the street. Street trees shall be planted in 4- to 6-foot-wide tree wells with grates to accommodate pedestrian traffic. Adjacent to tree wells, use structural soil 2 to 3 feet deep and 8 feet long and wide under sidewalks; or a cellular sidewalk and soil support system in lieu of a standard aggregate base to allow room for tree roots, to support tree health, and reduce maintenance caused by uprooted sidewalks. Healthy existing street trees as determined by a qualified arborist shall count towards this requirement.
4. Limit alley and service access driveway curb cuts to a maximum of one per project, or one for every 150 linear feet of frontage.
5. Provide required bicycle racks in the public right-of way or publicly accessible open space in a manner that does not impede pedestrian movement, and situated so that bicycles will be parked parallel to the street.
6. For projects on sites 25,000 square feet and larger, provide pedestrian-friendly streetscape amenities or improvements, such as seating, public art planters and trash receptacles or improvements that are consistent with the County's adopted design for the El Camino Real or 5th Avenue streetscapes.
7. Install stormwater planters and bioswales either on site, or within the planting strip area of streets, if minimum paved sidewalk requirements are met.

SECTION 6566.15 PRIVATE REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – BASE STANDARDS.

The private property design standards apply to improvements authorized in a site development permit to be located on private property.

A. Building Design, Layout and Orientation

All projects shall:

1. Orient buildings, entries and primary façades toward the primary adjoining street. Primary streets include Middlefield Road, El Camino Real, 5th Avenue, Edison Way, Bay Road, and Fair Oaks Avenue.

For mixed-use projects that extend through blocks or are located on corner parcels, the non-residential entrance may be located on the primary adjoining street, and the residential entrance on the rear or side.

For projects that extend from El Camino Real to Blenheim Avenue the primary facade and entrance shall be on El Camino Real, except in the case of mixed-use projects, which may have two entrances situated as described above. The Blenheim façade, and the secondary façade on other projects with front and rear street frontages, shall include elements such as stairways, balconies, landscaping, fenestration, façade articulation and roof forms that project life and transparency on the street and are sympathetic in nature to the context of the surrounding neighborhood.

2. Along block faces, vary facade articulation, roof heights, and step-backs. Vary fenestration, color, architectural elements, and other elements between multiple adjoining structures or units.
3. For projects on El Camino Real, 5th Avenue, Bay Road, Fair Oaks Avenue, and Middlefield Road, articulate ground floor facades, using vertical elements, such as pilasters, columns or massing changes, into 25-foot to 50-foot-wide increments within larger buildings that face the street. Use distinctive vertical and/or horizontal elements to break up the massing of buildings.
4. For mixed-use buildings on corner parcels, provide a pedestrian-accessible entry at the corner, or entries on both streets.
5. Locate ground-level parking and parking access in the side or rear of the project, or in cases where front parking access is necessary due to site constraints, include pedestrian-friendly design treatments and amenities such as paths, screening and landscaping to mitigate impacts on the pedestrian environment and overall streetscape.
6. Provide space for deliveries and service vehicles, if the project will be serviced by large trucks that cannot be accommodated by on-street parking.
7. Locate recycling and trash enclosures away from building fronts and major entries, and/or screen such receptacles from view in fixed enclosures.

8. Ground-floor commercial spaces shall be at least 25 feet deep as measured from the front, ground-floor building facade. Ground floor commercial spaces shall be encouraged to be prepared with infrastructure sufficient to house a working restaurant, including necessary venting shafts, plumbing, and other necessary components.

B. Massing and Scale

All projects shall:

1. Articulate ground floor facades, using vertical elements, such as pilasters, columns or massing changes, that divide facades into no more than 25-foot to 50-foot-wide increments.
2. Use multiple varied vertical and/or horizontal elements to break up massing of buildings.
3. Provide minimum floor-to-floor heights of 12 feet for commercial uses, with 15 to 20 heights preferred.

C. Building Character, Facade Articulation and Fenestration

All projects shall:

1. Visibly anchor the building base (lowest floor) to the ground using elements such as: a plinth beneath glass openings at least eighteen (18) inches in height, and columns or pilasters, and differentiate the base from upper floors using material change, color change, and a horizontal mechanism, such as a cornice or overhang. Use durable materials for the base, such as stone, steel, manufactured stone, or cementitious panel, but not stucco. Limit windows extending to the ground to 20 percent of the façade length
2. Have no continuous blank walls along street-fronting façades on any streets.
3. Provide multiple varied building elements, including cornices, lintels, sills, balconies, awnings, porches, and stoops to enhance building façades.
4. Limit garage entrances on street-facing facades to 22 feet in width.
5. Provide street-facing garage entries and parking vents with screening using materials that complement the building's overall composition, color palette, and materials.

6. Provide articulation on all four sides of buildings; using a hierarchy where the front façade has the greatest articulation, followed by the next most visible façade, followed by the least visible façade when viewed from the public right of way. For buildings with two street fronts, and for corner buildings, all street edges shall be treated similarly. Blank walls may be permitted where the side-yard wall encloses ground-floor parking and is within 2 feet of the property line, or for walls with no side-yard setback and the adjoining property can build to the property line. Side yard walls visible from the street shall be surfaced and articulated consistent with the rest of the structure.
7. Fenestrate all ground floor commercial uses with non-reflective glass windows fronting onto sidewalks.
8. For buildings located at street corners and at gateway entries identified in Chapter 2 of the North Fair Oaks Community Plan, provide roofs that accentuate the corner using a tower element, raised massing or other devices that emphasize the corner, and that are integral to the structure of the building and the design of the facade, rather than ornamental.
9. Screen mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on roof, ground, or buildings with opaque and sound attenuating materials compatible with the building, when visible from or adjacent to a public right-of-way or residentially zoned parcel. Screen rooftop mechanical equipment with parapets or the roof form, or set screening that is not part of the roof or parapet back from the building edge to avoid the appearance of an extra floor. Screening shall be integrated with the building design, compatible with the architectural character, colors, materials and elements from the roof and façade composition. .
10. Have no continuous exterior balconies/galleries for circulation that are visible from streets.
11. Be allowed awnings that project from building facades with a minimum vertical clearance of 8 feet above the street. Semicircular canvas awnings parallel to the façade are prohibited.
12. Have no exterior or interior window bars, roll-over doors or accordion gates over windows and entries. Multi-pane windows shall be true “divided-light windows.

13. Have windows that are one or more of the following: inset at least two inches; or trimmed so as to create a shadow line, including a sill; or flush with the surface, but framed with substantial trim or trim that contrasts with the building color, and divided with mullions or muntins. Snap-in muntins or mullions are prohibited.
14. Articulate and accentuate roofs on buildings located at street corners and at gateway entries into neighborhood streets, as defined in Chapter 2 of the North Fair Oaks Community Plan. Roofs should be integral to the structure of the building and the design of the facade, rather than ornamental.

D. Building Materials

All projects shall:

1. Use durable roofing materials, such as tile, slate, sheet metal shingles, standing seam metal roof, and wood shakes or shingles. Asphalt shingles must be of the highest quality commercial grade; lightweight asphalt shingle shall not be used. Any copper materials must be pre-treated to prevent exfoliation.
2. Use only authentic (non-simulated) high-quality wall materials, or durable simulated materials that closely match the surface, color and proportions of the material being copied. Use materials such as:
 - a. Brick (brick veneer must be detailed, including careful detailing of corners and seams).
 - b. Cementitious panels.
 - c. Wood; however, plywood siding, and lower quality hardboard composite sidings may not be used.
 - d. Stucco (installed in sufficient thickness and material quality to effectively resist cracking; joints shall be coordinated with the overall facade composition and demised in small enough frames by joints to resist cracking and facilitate repairs; and sealant colors coordinated with other facade material colors). Only properly-drained, durable exterior insulation and finish system (EIFS) may be substituted for stucco.
 - e. Stone, stone veneers and terra cotta tile;
 - f. Metal siding (of sufficient thickness, at the ground floor level, to prevent dents from impacts, and properly coated).

- g. Glass, including opaque spandrel glass (as part of a curtain wall construction or floor-to-ceiling glass for a singular massing element of a façade, provided a ground floor plinth is included).
- h. An anti-graffiti coating shall be applied to the portions of ground floor walls readily accessible from public spaces.
- i. Stucco may not be used exclusively at the ground floor and may not be used for plinths. Mirrored glass may not be used.

E. Stormwater Management and Landscaping

All projects shall:

1. Minimize on-site impermeable surfaces such as concrete, asphalt and hardscaping. Utilize permeable pavers, porous concrete, porous asphalt, reinforced grass pavement (turf-crete), cobblestone block pavement, infiltration planters, rain gardens and infiltration trenches to absorb stormwater, and other techniques to detain and infiltrate run-off on-site.
2. Manage site stormwater run-off from impervious surfaces onsite, including roofs by using best management practices (BMPs) consistent with the San Mateo County Stormwater Pollution Prevention Program's *C.3 Technical Guidance*, in the design and location of buildings and open spaces and through the provision of site features to capture, hold and treat stormwater, such as rain gardens with engineered, vegetated swales, soils and stormwater planters, green roofs and subterranean water infiltration devices, or water capture devices, such as cisterns and rain barrels. Integrate these features in ways that enhance building character.
3. Plant medium to large canopy trees in rear and side yards of private development where sufficient space for trees to mature is available.
5. In landscaped infiltration features, use plants that can withstand pollutants; are effective in pollutant removal, and comply with the Water-Efficient Landscape Ordinance.
6. Landscape unpaved open areas not committed to stormwater management with water efficient landscaping, consistent with the Water Efficient Landscape Ordinance.

F. Utilities

All projects shall:

Install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located in a manner that minimizes harm to any trees being preserved, and allow space for planting trees required by these guidelines.

G. Ecology and Health

Residential units in multi-family buildings should have access to sun and air through operable windows and building openings, except in the case that residential units in the CMU-1, CMU-2, and NMU-ECR districts are not negatively impacted by such windows and openings, as demonstrated by the required air quality analysis described in Section 6566.2.A.2.

H. Transportation

Provide transportation demand management measures, consistent with the City/County Association of Governments (“CCAG”) Land Use Component of the Congestion Management Program for San Mateo County, such as transit passes or other programs as needed to address project traffic or public transit impacts, consistent with the County Transportation Plan.

SECTION 6566.16 PUBLIC REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – ADDITIONAL STANDARDS. Public realm improvements are those improvements required of a project that will be located in the public right of way, or dedicated for public use.

A. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:

1. Provide bulb-outs at intersections with cross walks or at mid-block crossings to minimize crossing distance and increase pedestrian visibility where feasible.
2. If located transit routes, coordinate with SamTrans to determine whether transit improvements, such as bus shelters or benches are appropriate, and whether existing transit stops are optimally located.
3. Be allowed to use pavers in place of concrete for sidewalks located in private rights-of-way.

SECTION 6566.17 PRIVATE REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – ADDITIONAL STANDARDS. The private property design standards apply to improvements authorized in a site development permit to be located on private property.

A. Building Design, Layout and Orientation

All projects shall conform to the following standards and guidelines, as applicable:

1. Encourage use of any private courtyards or other open spaces as common, public space, and if courtyards or other spaces are raised, encourage provision of an accessible connection between courtyards or open spaces and the street. Encourage ground-level open space wherever possible.
2. For residential projects, provide stoops, or other types of individual unit entries where feasible.
3. Where feasible, provide privacy for ground floor residential uses by elevating the first floor of such uses above grade, and/or using recessed entries with translucent glazing and/or placing windowsills 2 to 3 feet above floor level.

D. Building Character, Facade Articulation and Fenestration

All projects shall conform to the following standards and guidelines, as applicable:

- a. Where feasible, incorporate art (including murals, frescoes, mosaics, and other types, especially on large blank walls) in building facades, particularly art that relates to the history and culture of North Fair Oaks, and celebrates the local community.

C. Parking

All projects shall:

1. Be encouraged to use space-efficient parking strategies, such as lift parking and tandem parking, to reduce building costs and maximize efficiency of development.
2. Be encouraged to provide parking located at least ½-story below grade, whenever feasible based on groundwater level.

D. Alleys/Service Access

All projects shall:

1. Provide small canopy trees along alleys.

2. Provide distinctive paving along the alleys located between 5th Avenue, and East Selby Street, to distinguish the alleys from roadways and to signal vehicles to proceed slowly.

E. Ecology and Health

All projects shall:

1. Use sustainable building practices and materials, and ecologically-sensitive design solutions, including solar panels, light shelves and cool roofs, consistent with the County's Climate Action Plan, where feasible.

SECTION 6. The San Mateo County Ordinance Code, Division VI, Part One, Chapter 2, Section 6115 (Zoning Maps), is hereby amended to change the zoning from M-1/NFO (Light Industrial/North Fair Oaks) and C-2/NFO/S/1/DR (General Commercial) to CMU-3 (Commercial Mixed Use-3); and from M-1 (Light Industrial) to M-1/NFO (Mixed-Use Industrial/North Fair Oaks); and from M-1/NFO to M-1/Edison/NFO (Mixed-Use Industrial/Edison/North Fair Oaks); and from P (Parking) to M-1/Edison/NFO, as shown on the attached maps.

SECTION 7. The proposed amendments to the Zoning Regulations and associated zoning map amendments are within the scope of the North Fair Oaks Community Plan Program Environmental Impact Report (EIR), and will result in no new impacts and will require no new mitigation measures, and thus pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, no additional environmental review is required.

SECTION 8. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

SECTION 9. The Clerk shall publish this Ordinance in accordance with applicable law.

SECTION 10. This Ordinance shall be effective thirty (30) days from the passage date thereof.

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County of San Mateo - Planning and Building Department

ATTACHMENT E

CEQA GUIDELINES §15168(c) CHECKLIST FOR LATER ACTIVITIES FOLLOWING CERTIFICATION OF THE NORTH FAIR OAKS COMMUNITY PLAN ENVIRONMENTAL IMPACT REPORT

Rezoning Industrially and Commercially Zoned Properties Along Middlefield Road and Nearby Streets to Commercial Mixed Use; and Properties Along Spring Street, Fair Oaks Avenue and Bay Road to Mixed-Use Industrial in North Fair Oaks to Implement the Community Plan

ABBREVIATIONS: NORTH FAIR OAKS COMMUNITY PLAN ENVIRONMENTAL IMPACT REPORT (CP EIR); NORTH FAIR OAKS COMMUNITY PLAN (CP); Mitigation Measure (MM)

Would the Rezoning of Commercially and Industrially zoned lands along the Middlefield Road and nearby streets to Commercial Mixed Use and along Fair Oaks Avenue, Spring Street and Bay Road to Mixed-Use Industrial cause new or substantially more severe significant impacts, or require new mitigation measures, due to project changes, changed circumstances, or new information that was not known and could not have been known with the exercise of reasonable diligence at the time the NFO EIR was certified? (CEQA Guidelines §15168(c), 15162

NFO EIR Evaluation Criteria	NFOCP EIR Significance Conclusion (Before Mitigation)	NFO EIR Mitigation Measures
Aesthetics		
Will the project substantially degrade the existing visual character or quality of the site and its surroundings;	No significant impact	no mitigation is required
Will the project have a substantial, adverse effect on a scenic vista?	No significant impact	no mitigation is required
Will the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No significant impact	no mitigation is required
Will the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No significant impact	no mitigation is required
Will the project cast shadows that substantially impairs the beneficial use, important values, or livability of any shadow-sensitive use?	No significant impact	no mitigation is required

No. The CP EIR determined that implementing the CP would not have any significant effects on aesthetic resources and did not identify any needed mitigation. The CP EIR states that plan implementation (rezoning) will facilitate redevelopment of North Fair Oaks, which would result in an overall more coherent and compatible land use pattern and a more unified visual character in the Plan area. Rezoning makes redevelopment possible. The CP EIR determined that there are no officially designated scenic vistas within North Fair Oaks and that the project will not adversely affect scenic resources. The proposed rezoning does not change the County's tree protection ordinances, and there are no listed historic resources in the project area, nor any scenic highways. The proposed ordinances require planting of street trees, preservation of existing trees where feasible, and the provision of green infrastructure, including trees, which will improve the visual character of the area. The CP EIR determined that compliance with Transit Corridors Plan lighting standards and Title 24 lighting power allowances would be expected to adequately control unnecessary brightness of lighting, debilitating glare, and sky glow. The proposed zoning provisions require that lighting for projects be conditioned to require dark-sky approved fixtures, and places other limits on project lighting that protect the visual character of the area. The CP EIR noted that CP land use policies require upper story (second story and above) step backs to minimize shadows cast on public parks and greenways and building massing with greater intensities on major streets and lower intensities adjacent to existing residential development. Staff's shadow study demonstrated that existing development will not be substantially impacted or impaired by shadows from development conforming to the proposed zoning.

Air Quality

Will the project conflict with or obstruct implementation of the applicable air quality plan?	No significant impact	no mitigation is required	No. The CP EIR states that the project could potentially have significant effects on air quality standards compliance, could expose sensitive receptors to toxic air contaminants, and could create objectionable odors affecting a substantial number of people. Mitigation Measures 5-1, 5-2 and 5-3 would reduce those potentially significant impacts to less than significant, and projects will be conditioned to manage odors, and prevent exposure to toxic air contaminants consistent with these mitigation measures. Estimated existing land uses within the NFO Plan area generate 51,020 daily vehicle trips. Buildout of the NFO Plan in 2035 would generate an estimated 81,248 daily vehicle trips, which would represent a 59 percent increase in vehicle use. The 2010 population within the NFO Plan area was estimated at 15,477 persons. The development of an additional 3,024 housing units under the NFO Plan would result in a projected increase in population of 11,794 persons, an increase of 76 percent. Therefore, the projected increase in vehicle use under the NFO Plan would be less than the projected increase in population. Therefore, there is no conflict with the BAAQMD Clean Air Plan. The rezoning allows development at the levels contemplated in the plan, therefore it will not create unforeseen impacts. The CP EIR states that development within the Community Plan area could generate short-term temporary emissions of dust, fuel combustion exhaust, and gases from architectural coatings and other building materials; grading, demolition, or construction activity for future discretionary development projects within the Community Plan area will be conditioned to implement best management practices that will avoid these impacts. The CP EIR did not identify a cumulatively considerable increase in criteria pollutants, and nothing in the proposed ordinances would allow activities that would alter this conclusion. The CP EIR determined that future development projects must locate development away from contaminant sources, conduct a site specific risk assessment or implement best management practices that effectively reduce exposure. The proposed ordinance (Chapter 29) requires the submittal of a health risk assessment to ensure that sources are identified and sensitive receptors protected. The CP EIR recognized that certain land uses such as restaurants or dry cleaners could generate objectionable odors affecting people. The proposed zoning prohibits dry cleaners using perchloroethylene, and projects, such as restaurants will be required to install equipment and manage activities so as to avoid exposing people to objectionable odors, and notice tenants or purchasers of any potential odors.
Will the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	potentially significant impact	Mitigation 5-1. Short-Term Construction Emissions	
Will the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No cumulatively considerable contribution to a significant cumulative impact	no mitigation is required	
Will the project expose sensitive receptors to substantial pollutant concentrations, or toxic air contaminants?	potentially significant impact	MM AQ 5-2. Site development housing sensitive receptors away from contaminant sources or conduct site specific risk assessments and install necessary filtration to protect sensitive receptors	
		MM AQ5-3. Condition mixed use projects including food service or dry cleaners, install proper equipment and implement Best Management Practices to minimize odors.	
Will the project create objectionable odors affecting a substantial number of people?	potentially significant impact		

Biological Resources

Will the project adversely affect any species identified as a candidate, sensitive, or special-status species?	less than significant	no mitigation is required
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Will the project adversely affect any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or protected by state or federal agencies?

less than significant
no mitigation is required

Will the project have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

less than significant
no mitigation is required

Will the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

potentially significant impact
MM BR 6-1 Migratory Wildlife.

Will the project conflict with any local policies or ordinances protecting biological resources?

less than significant
no mitigation is required

Will the project Cumulatively adversely impact biological resources?

less than significant
no mitigation is required

Climate Change

Will the project substantially impede the attainment of the State's GHG emissions reduction goal of reducing state GHG emissions to 1990 levels by the year 2020, or 80 percent below 1990 levels by 2050?

No significant impact
no mitigation is required

Will the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No significant impact
no mitigation is required

No. The CP EIR found that the project could potentially interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Mitigation measure 6-1 would reduce this potential impact a less than significant level. Special-status species are not expected to occur within the Community Plan area because of a lack of suitable habitat. The CP EIR states that proximity to Don Edwards National Wildlife Refuge, the potential presence of migrating raptors and passerines and nesting birds including raptors make it possible that impacts to protected avian wildlife could occur. Projects with potential nesting habitat will be conditioned to conduct surveys to identify any protected species, and implement measures to avoid or protect any protected species found during construction through buffers or other management practices as determined by a qualified avian biologist. Ongoing implementation of County tree preservation regulations will protect existing habitats. The proposed zoning will be implemented in a manner, through permit conditions to ensure that MM BR 6-1 is implemented, avoiding any significant impacts to migratory wildlife.

No. The CP EIR did not identify any significant impacts contributing to climate change and did not identify any mitigation measures. The CP EIR states that ongoing occupancy and operation of development under the Community Plan Update would result in a net increase in CO2 and other greenhouse gas emissions due primarily to transportation, energy use and solid waste disposal. The GHG emissions from ongoing occupancy and operation of development within the CP Area would represent a less-than-considerable contribution to the significant cumulative impact of global climate change. The proposed zoning does not allow activities or levels of

Will the project result in a cumulatively considerable contribution to global climate change?	No cumulatively considerable contribution to a significant cumulative impact	activity that would alter this conclusion.
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Cultural and Historic Resources

Will the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?	potentially significant impact	MM CHR 8-2
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Will the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5?	potentially significant impact	MM CHR 8-1
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Will the project disturb any human remains, including those interred outside of formal cemeteries?	potentially significant impact	
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Will the project cumulative cause a loss of significant archaeological, historical and paleontological resources due to a development?	Significant and unavoidable	MM CHR 8.4
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Will the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	potentially significant impact	MM CHR 8-3
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No. The CP EIR The Plan area contains three recorded archaeological resources, all prehistoric Native American habitation sites. There is a moderate to high potential for the presence of additional unrecorded Native American resources within the CP area. There are no previously recorded historic-period archaeological resources within the CP area. There are historic structures in the CP area, but none of them are within the proposed rezoning area, nor proximate enough to be affected by any potential construction. Based on review of historical literature and maps, there is a moderate to high potential for the presence of unrecorded historic-period archaeological resources within the Community Plan area. Mitigation measures 8-1 and 8-3 would reduce the impacts of the CP, and thus the project contribution to significant cumulative impacts on archaeological resources and paleontological resources, to a less-than-significant level. The proposed rezoning area contains no recorded historic resource. Despite the history of disturbance, the project could potentially disrupt, alter or eliminate as-yet undiscovered paleontological resources within or immediately adjacent to the CP area. Projects authorized under the proposed rezoning will be conditioned to implement all applicable mitigation measures, to avoid any impacts not identified in the CP EIR. The County is responsible for implementing MM CHR 8-1: identify and keep confidential the locations of the three recorded Native American habitation sites within the Community Plan area, P-41-000086, P-41-000299, and P-41-000303 and before any development occurs to shall assess the resources and provide project-specific recommendations. The rezoning project does not entitle development; the County implemented MM CHR 8-1 prior to any development. None of these sites are within the rezoning area. Also projects will be required to monitor excavation and grading and halt if archaeological, paleontological, historical resources or human remains are found, and preserve, document or avoid damage or loss under the guidance of a qualified professional (MM CHR 8-3, 8-4 and 8-1).

Geology and Soils

Will the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

less than significant no mitigation is required

Will the project result in substantial soil erosion or the loss of topsoil?

less than significant no mitigation is required

Will the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

less than significant

Will the project be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Less than significant

No. The CP EIR found that there would be no significant impacts from seismic events or substantial soil erosion or loss of topsoil from implementing the project and no mitigation measures were identified. Similarly the CP EIR concluded that the project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse, and that the project would not occur on expansive soils and that no mitigation measures for these effects were needed. These soil and seismic fault conditions are not altered in any way by rezoning, and therefore cannot generate new impacts, because development would be undertaken consistent with policies contained in the San Mateo County General Plan Soil Resources Element and Natural Hazards Element, along with mandated individual project compliance with federal, State and local regulations addressing building construction.

Hazards and Hazardous Materials

Will the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

less than significant no mitigation is required

Will the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

less than significant no mitigation is required

Will the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? less than significant no mitigation is required

Will the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment? less than significant no mitigation is required

Will the project For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area? less than significant no mitigation is required

Will the project result in a safety hazard for people residing or working in the project area within the vicinity of a private airstrip? less than significant no mitigation is required

Will the project Impact implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? less than significant no mitigation is required

Will the project Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? less than significant no mitigation is required

No. The CP EIR concluded that there would be no significant impacts from hazardous materials, no risks from proximity to airports or airstrips, nor impacts to emergency plan implementation or exposure of people to wildfire from plan implementation and no mitigation measures were required. The rezoning project would not alter any of these conclusions as the rezoning is consistent with the policies in the CP.

Hydrology and Water Quality

Will the project violate any water quality standards or waste discharge requirements? less than significant

Will the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

less than significant

Will the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

less than significant

Will the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site?

less than significant

no mitigation is required

Will the project Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

less than significant

no mitigation is required

No. The CP EIR found that there would be no significant impacts from CP implementation on existing drainage patterns, would not require construction of new or expansion of existing storm drainage facilities with significant environmental effects, would not create runoff exceeding the capacity of storm drainage systems or increase polluted runoff or otherwise degrade water quality. The CP EIR also found that the project would not place new development within a 100-year flood hazard area, but did conclude that portions of the area may be exposed to future flooding from sea level rise. MM HWQ 11-1 requires that future individual development projects on properties within the Plan area subject to flooding as a result of predicted sea level rise shall be required to comply with specific flood damage avoidance requirements commonly required for development within 100-year flood hazard areas under the National Flood Insurance Program and Chapter 35.5, Flood Hazard Areas, of the San Mateo County Code of Ordinances. None of the parcels being rezoned lie within areas that are projected to experience flooding from sea level rise, therefore, the rezoning project will not in any way expose people or structures to flooding or flood risk. No new information has come to

Will the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? less than significant no mitigation is required

Will the project otherwise substantially degrade water quality? less than significant no mitigation is required

Will the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? less than significant no mitigation is required

Will the project place within a 100-year flood hazard area structures which would impede or redirect flood flows? less than significant no mitigation is required

Will the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? potentially significant impact MM HWQ 11-1

Will the project expose people or structures to a significant risk of loss, injury or death resulting from inundation by seiche, tsunami or mudflow? less than significant no mitigation is required

Land Use and Planning

Will the project disrupt or divide the physical arrangement of a community? beneficial effect no mitigation is required

Will the project be incompatible with existing land use in the vicinity? less than significant no mitigation is required

light to change the assumptions underpinning the CP EIR, and the rezoning project does not change plan implementation, therefore no new impacts to water quality, water management or flooding are anticipated.

No. The CP EIR concluded that CP implementation would have a beneficial effect on the physical arrangement of the plan area. The CP EIR states that the proposed land use intensities are comparable to those in the CP being superseded, and to those in the County's General Plan. No significant impacts were identified, and no mitigation measures were required.

Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect? less than significant no mitigation is required

Implementation of the proposed rezoning would not create any new circumstances involving new significant impacts or substantially more severe impacts regarding land use and land use planning. The development intensities allowed in the CMU-3 and, M-1/NFO and M-1/Edison/NFO are cumulatively the same as the underlying general plan land use designations. The impacts of development in this portion of the plan area are fully addressed in the CP EIR.

Noise and Vibration

Will the project create permanent substantial noise increases at existing noise-sensitive land uses (e.g., residences) due to project land use changes or associated traffic increases? potentially significant impact MM N 13-4

No. The CP EIR states that long-term noise measurements were primarily influenced by Caltrain. The measured CNEL was 79 dBA at 30 feet and 70 dBA at 250 feet from the edge of the Caltrain tracks. Also, demolition and construction activities associated with the updated Community Plan could temporarily increase noise levels at nearby residential and commercial sensitive receptors. Noise levels at 50 feet from the demolition or construction equipment source could reach approximately 105 dBA, resulting in intermittent interference with typical existing residential and business activities, and exceeding the County's noise ordinance limits. Demolition and construction activities associated with Plan Update-facilitated development activity could generate substantial temporary ground-borne vibration (e.g., from pile driving) exceeding standard vibration thresholds, which could interfere with normal activities or cause a nuisance for or damage to adjacent properties. MM N 13-1 and MM N 13-2 require that project authorizations include conditions requiring several best management practices of demolition and construction contractors to reduce noise and vibration to acceptable levels. The CP EIR also notes that the CP would permit new multifamily and single-family residential development within 100 feet of the Caltrain tracks or the Dumbarton Rail Corridor. Ground borne vibration levels are typically less than the FTA criteria for frequent events (72 VdB) at a distance of approximately 100 feet or more from the centerline of the Caltrain tracks or the Dumbarton Rail Corridor. MM N 13-3 requires that prior to the development of new habitable buildings in the Plan area within 100 feet of the centerline of the Caltrain tracks or Dumbarton Rail Corridor, completion of a detailed site-specific vibration study shall be required demonstrating that ground borne vibrations associated with rail operations either (1) would not exceed applicable FTA ground borne vibration impact assessment criteria or (2) can be reduced to below the applicable FTA criteria thresholds through building design and construction measures (e.g., stiffened floors, modified foundations). Two properties within the rezoning area lie within 100 feet of Caltrain and projects approved on these two sites will be conditioned to require achievement of the vibration standards included in the CP EIR. The CP EIR also notes that the occupants of new residential and other noise-sensitive development facilitated in the Plan area by the Community Plan Update could be exposed to noise levels in excess of County noise standards and California Building Code standards. MM N 13-4 requires that all proposed new

Will the project cause temporary noise increase, such as from construction related noise construction at levels sufficiently high to interfere with speech, sleep, or normal residential activities (above 60 dBA during the daytime and 55 dBA at night, and at least 5 dBA higher than ambient noise levels)? potentially significant impact MM N 13-1

Will the project increase temporary ground-borne vibration beyond commonly recognized thresholds of safety? potentially significant impact MM N 13-2

Will the project increase permanent ground-borne vibration beyond commonly recognized thresholds of safety? potentially significant impact MM N 13-3

multifamily residential or other noise-sensitive uses within 300 feet of the existing Caltrain line and proposed Dumbarton Rail Corridors, and within 120 feet of arterial roadways, shall submit for County approval a noise study, consistent with the requirements of the California Building Code, to identify noise reduction measures necessary to achieve compatibility with County noise standards and California Building Code noise compatibility standards. The noise study shall be approved by the County's Planning and Building Department prior to issuance of a building permit. The CP EIR notes that cumulative plus project traffic noise levels are expected to increase by 3 dBA, and traffic resulting from the updated Community Plan would contribute at least 1 decibel to the cumulative traffic noise level increase, along two street segments, both of which are outside of the rezoning area. Therefore, cumulative noise impacts will not occur as a result of implementing the proposed rezoning. However, development projects approved will be conditioned so that they must comply with MM N 13-4 and to implement measures that reduce noise exposure to acceptable levels. Furthermore, the development intensities proposed under the proposed rezoning is less than what was evaluated in the CP EIR, therefore, the project cannot generate impacts that rise to the level assessed in the CP EIR and reduced through mitigation.

Will the project have cumulative noise impacts?	Significant and unavoidable	MM N-13-5
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Population, Housing and Employment

Will the project induce substantial population growth either directly or indirectly?	less than significant	no mitigation is required
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No. New development facilitated by the updated Community Plan, together with other reasonably foreseeable development, would add new residents and new jobs within the Plan area by 2035. However, none of the increases in jobs, housing or population were determined to be significant in the CP EIR and no mitigation measures were necessary. As noted above under land use, the rezoning project would not increase jobs, housing or employment beyond what was evaluated in the CEP EIR. Therefore, no new impacts would occur.

Will the project displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	less than significant	no mitigation is required
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Public Services and Utilities

Will the project require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	less than significant	no mitigation is required
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Will the project require new or expanded water supply entitlements?	less than significant	no mitigation is required
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Will the project require or result in the construction of new wastewater facilities or expansion of existing facilities with significant environmental impacts?	less than significant	no mitigation is required
Will the project demand for wastewater treatment exceed provider capacity to serve the project?	less than significant	no mitigation is required
Will the project exceed Regional Water Quality Control Board wastewater treatment requirements?	less than significant	no mitigation is required
Will the project over-burden police and fire service providers?	less than significant	no mitigation is required
Will the project exceed capacity of existing schools?	less than significant	no mitigation is required
Will the project generate recreation demand that exceeds existing park supply, or require the provision of new parks?	less than significant	no mitigation is required
Will the project negatively impact existing solid waste disposal and recycling capacity?	less than significant	no mitigation is required

No. The CP EIR evaluated water demand and supply, wastewater generation and the supply of treatment facilities, supply and demand of parks, schools, police, fire and other emergency services, solid waste disposal and recycling demand and capacity, and Regional Water Quality Control Board compliance requirements for waste water treatment and concluded that the CP project would have no significant impacts warranting mitigation, for any of these service areas. The conclusions of the NFO Plan EIR relating to utilities and service systems remain valid. The rezoning Project is consistent with the NFO Plan EIR, and proposes development intensities slightly lower than those analyzed in the CP EIR. There is no evidence of substantial changes to the circumstances under which the NFO Plan EIR utilities and service systems impacts were analyzed. There is also no evidence of new information of substantial importance that would show a new or more severe significant utilities and service systems impact resulting from the Project. Therefore, no additional analysis under CEQA is required for the Project.

Transportation

Will the project plus other development impact studied intersections level of service (LOS)?	potentially significant impact	MM T All
Will the project plus other projected development impact the LOS at Middlefield and Woodside Roads intersection?	potentially significant impact	MM T 16-2 and MM T 16-10

No. The conclusions of the CP EIR relating to transportation and traffic remain valid. The Project is consistent with the CP EIR. There is no evidence of substantial changes to the circumstances under which the NFO Plan EIR transportation and traffic impacts were analyzed. There is also no evidence of new information of substantial importance, that would show a new or more severe significant transportation and traffic impact resulting from the Project. Therefore, no additional analysis under CEQA is required for the Project.

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from acceptable LOS D (existing) to unacceptable LOS F during the PM peak hour. MM T 16-2 requires the County to modify traffic signal operations to include a westbound right turn overlap phase and a northbound right turn overlap phase. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required, provided these mitigation measures are implemented.

Will the project plus other projected development impact the LOS at 5th Avenue and Middlefield Road intersection? potentially significant impact MM T 16-5 and MM T 16-11

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from acceptable LOS C (existing) to unacceptable LOS F during the AM peak hour, and from unacceptable LOS E (existing) to unacceptable LOS F during the PM peak hour. MM T 16-3 requires that the County prohibit on-street parking on north and southbound sides of 5th Ave within the vicinity of the intersection, shift the through/right turn lane and stripe a dedicated left turn lane; modify traffic signal operations from split phase to concurrent northbound and southbound travel with protected left turn phasing; prohibit parking in the eastbound direction within the vicinity of the intersection and stripe a dedicated eastbound right turn lane. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required, provided these mitigation measures are implemented. The Redwood City Traffic County Impact Mitigation Fee Program includes the installation of a traffic signal at Edison and Middlefield as a planned capital improvement. As a condition of approval for future individual discretionary development projects within the Plan area, require project fair-share contribution toward the installation of this traffic signal. This mitigation would improve the intersection to LOS C during the AM peak hour, and therefore would reduce the project impact to a less-than-significant level.

Will the project plus other projected development impact the LOS at Middlefield and Semicircular Roads intersection? potentially significant impact MM T 16-4 and MM T 16-12

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from unacceptable LOS E (existing) to unacceptable LOS F during the AM peak hour, and from unacceptable LOS D (existing) to unacceptable LOS F during the PM peak hour. MM T 16-4 requires that the County prohibit on-street parking within the vicinity of the intersection, and stripe a dedicated left turn lane, resulting in one left turn lane, one through lane, and one shared through/right turn lane; modify traffic signal operations. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required, provided these mitigation measures are implemented.

Will the project plus other projected development impact the LOS at 5th Avenue and Bay Road intersection? potentially significant impact MM T 16-5

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from acceptable LOS D (existing) to unacceptable LOS F during the AM peak hour, and from acceptable LOS C (existing) to unacceptable LOS F during the PM peak hour. MM T 16-5 acknowledges that the City of Redwood City will install a traffic signal at this intersection as a planned capital improvement. As a condition of approval for future individual discretionary development projects within the Plan area, the County will require projects to make a fair-share contribution toward the installation of this traffic signal, including within the rezoning area. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.

Will the project plus other projected development impact the LOS at Middlefield and Marsh Roads intersection?

potentially significant impact MM 16-13

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from an acceptable LOS C to an unacceptable LOS E during the peak hour. MM T 16-13 found that the Menlo Gateway project, approved by the City of Menlo Park is required to make intersection improvements that would reduce the project plus cumulative impacts of the CP to a less than significant level. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.

Will the project plus other projected development impact the LOS at Bay and Woodside Roads intersection?

potentially significant impact MM T 16-6 and MM T 16-14

No. The CP EIR states that under Existing Plus Project conditions, intersection operations would deteriorate from acceptable LOS C (existing) to unacceptable LOS D during the AM peak hour, and from acceptable LOS C (existing) to unacceptable LOS E during the PM peak hour. MM T 16-6 acknowledges that MTC Transportation 2035 Plan and the Redwood City Traffic Impact Mitigation Fee Program identify the widening of Woodside Road to six travel lanes between El Camino Real and US 101 as a planned capital improvement. As a condition of approval for future individual discretionary development projects within the Plan area, require project fair-share contribution toward the addition of a southbound through lane and optimization of cycle length. This mitigation would improve the intersection to LOS C during the AM and PM peak hours. Cumulative plus project impacts would deteriorate intersection operations from acceptable LOS C (No Project) to unacceptable LOS E and LOS F during the AM and PM peak hour. MM T 16-14 acknowledges that additional right of way acquisition would be necessary to construct the additional north and south bound lanes on Woodside Road, and that such acquisition may be infeasible. The rezoning project allows the intensity of development that was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required, provided these mitigation measures are implemented.

Will the project plus other projected development adversely impact transit service in the Plan Area?

potentially significant impact MM T 16-7

No. The CP EIR MM T 16-7 requires that the County coordinate with SamTrans, Caltrain, the High Speed Rail Authority, and other appropriate transit authorities to ensure that existing and future transit services within the vicinity of North Fair Oaks are capable of accommodating potential Plan Update-related increases in transit demand. Given the anticipated long-term Plan area buildout period and the uncertainty of the existing and proposed transit facilities, equipment, and services beyond the County's jurisdiction, it cannot be determined at this time whether service improvements would be implemented concurrently with increase demand such that acceptable service levels would be maintained. Therefore, the impacts of the Plan on transit service are currently deemed to be significant and unavoidable. The rezoning project does not in any way increase the level of transit demand beyond that evaluated in the CP EIR and the provision of transit service in the rezoning project area has not changed significantly. Caltrain and SamTrans are undertaking projects and studies that will increase transit availability, including the Caltrain EMod project, and planning for bus rapid transit on the El Camino Real. These projects will not be completed for years.

Will the project decrease safety at at-grade rail crossings? potentially significant impact MM T 16-8 and 16-15

Will the project interfere with existing or planned pedestrian or bicycle facilities in the project area? less than significant no mitigation is required

MM T 16-1 and MM 16-9

Will the project degrade LOS at the El Camino Real/5th Avenue intersection? potentially significant impact

No. Future individual discretionary development project approvals within the Plan area that would generate substantial additional multi-modal trips (i.e., motor vehicles or pedestrians) crossing volume at at-grade railroad crossings in the project vicinity, will be required to implement the following: a Transportation Impact Study (TIS) and if necessary a Diagnostic Review must be completed with all affected properties and stakeholders, in coordination with the California Public Utilities Commission (CPUC). Based on the Diagnostic Review and the number of projected trips, the TIS will evaluate if the proposed development increases hazards at the crossing. Project approvals would include conditions that mitigate impacts to at-grade rail crossings to reduce the effects of additional traffic of all types. The rezoning project does not in any way increase likely traffic at grade rail crossings. The nearest at-grade crossing is located on Middlefield Road between Pacific and Hurlingame Avenues approximately one mile from the project area, and is unlikely to be affected by traffic from projects in this area, however, if necessary a TIS and DR will be prepared and mitigation measures implemented for future discretionary projects. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.

No. The CP EIR states that under Existing Plus Project conditions, the project would not interfere with existing or planned pedestrian or bicycle facilities. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.

No. MM T 16-1 requires restriping the southbound approach to one dedicated left turn lane, one dedicated right turn lane, and one shared left turn/right turn lane on 5th Ave. Under the Cumulative Plus Project condition during the AM peak hour, this mitigation would result in a projected LOS C; however, during the PM peak hour, the intersection would still operate at LOS D. Constructing additional lanes would require obtaining additional right-of-way and relocation of utilities, and would contradict the purpose of the Plan Update to create a pedestrian, bicycle, and transit-friendly environment. Achievement of an "acceptable" vehicular LOS standard at this intersection would not encourage development of the pedestrian-friendly, mixed-use, transit-oriented environment. Typically, construction of additional intersection lanes can worsen conditions for pedestrian and bicycle travel by increasing exposure to conflicts with vehicles and deteriorating the non-motorized environment. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.

CEQA Required Assessment Conclusions

Will the Project induce growth or concentration of population, thereby leading to indirect impacts to the physical environment? less than significant no mitigation is required

No. The CP EIR states that under Existing Plus Project conditions, the potential environmental impacts of development within the North Fair Oaks induced by the updated Community Plan have been evaluated at a program level. Potential induced growth outside the North Fair Oaks due to enhanced development potential on adjacent land and

Will the provision of infrastructure improvements associated with the project stimulate population and housing growth beyond that projected by the North Fair Oaks Community Plan or the San Mateo County General Plan?

less than significant

no mitigation is required

increased economic activity, would occur as already contemplated in and consistent with adopted plans and the environmental documents prepared for those plans, and would therefore not represent growth for which adequate planning has not occurred. The rezoning project allows lower intensity of development than was evaluated in the CP EIR, therefore no additional impacts will occur and no additional mitigation is required.