

**CITY OF SAN MATEO
ORDINANCE NO. 2013-1**

**AMENDING SECTION 27.60.180, "QUALIFIED (Q) OVERLAY ZONING DISTRICTS," OF CHAPTER 27.60, "SPECIAL DISTRICTS," OF THE SAN MATEO MUNICIPAL CODE TO RECLASSIFY THE SITE AT ONE NOTRE DAME AVENUE (ST. MATTHEW CATHOLIC PARISH & SCHOOL SITE) FROM R1-C (ONE FAMILY DWELLINGS) TO R1-C/Q7 (ONE FAMILY DWELLINGS, QUALIFIED OVERLAY DISTRICT 7), AND AMENDING THE CITY'S ZONING MAP TO REFLECT THE RECLASSIFICATION
(PA 10-060; APN 034-232-340, -350, -370)**

WHEREAS, St. Matthew Catholic Parish submitted a planning application (PA 10-060) to the City which includes construction of a new gymnasium and associated parking lot improvements at the St. Matthew Catholic Parish and School site located at One Notre Dame Avenue (the Site); and

WHEREAS, the project also includes a Master Plan and Special Use Permit which identifies activities and restrictions that would be permitted under the Q7 zoning classification; and

WHEREAS, the proposed project does not include an expansion of enrollment or employees; and

WHEREAS, the Q overlay designation was established to provide for development of land pursuant to standards and regulations which reflect the unique characteristics of a site; and

WHEREAS, the project site has unique characteristics because the use of the property for a church and school is not typical in the R1-C (single family) district, and the existing buildings exceed the maximum allowable floor area ratio (FAR); and

WHEREAS, the Q overlay classification would identify permitted uses and activities, establish the building floor area for the Site to allow construction of the gym without the requirement for a floor area ratio variance, and permit twelve parking spaces (in addition to the 21 existing spaces) to back out onto Notre Dame Avenue; and

WHEREAS, the school has been established on the site since 1931 and church since 1966; and

WHEREAS, the site is comprised of a zoning plot of three parcels totaling approximately 310,400 square feet (7.13 acres) and as such is substantially larger than the typical single family lots surrounding the property; and

WHEREAS, the site is comprised of a zoning plot of three parcels with common improvements is, by definition, a "zoning plot", which will be considered as one (1) parcel for purposes calculating floor area ratio for the proposed "Q7" Zone; and

WHEREAS, the requested floor area totals approximately 97,524 sq. ft., or 33,644 sq. ft. above what would be allowed in an R1-C zone, but due to the large size of the zoning plot the resulting floor area ratio is 0.28, or approximately half of the R1-C standard of 0.50; and

WHEREAS, the proposed rezoning is consistent with the City's General Plan because the Q overlay zone authorizes deviations from the standards of the underlying R1-C zoning district, the project is obtaining a Special Use Permit to operate in an R1-C zone, which will limit the uses on the site and

protect the surrounding single family uses, and otherwise conforms with the Single Family Residential Land Use designation of the site; and

WHEREAS, at its meeting of August 14, 2012, the Planning Commission voted to recommend that the Council not adopt an ordinance to

- amend section 27.60.180 of the San Mateo Municipal Code to add a new subsection establishing the Q7, “Qualified Overlay District 7,” zoning classification,
- reclassify the Site from R1-C to R1-C/Q7,
- amend the City’s zoning map to reflect the new zoning classification for the Site; and

WHEREAS, the San Mateo City Council the held a public hearing on January 22, 2013, pursuant to the notice required by law for the adoption of the amendments to the Zoning Code and the Zoning Map at which hearing the Council received and considered written and oral evidence;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY ORDAINS that:

Title 27, “Zoning Code,” of the San Mateo Municipal Code shall be amended as follows:

Section 1. Section 27.60.180, “Qualified (Q) Overlay Zoning Districts,” of the San Mateo Municipal Code is amended to include a new subsection entitled “Q7 (Qualified Overlay District 7)” to read:

27.60.180 QUALIFIED (Q) OVERLAY ZONING DISTRICTS.

(g) **Q7 (QUALIFIED OVERLAY DISTRICT 7).** Limitations and conditions. The following limitations and conditions shall pertain to the use of the property zoned Q7:

- 1) Uses. All uses in this district shall require a Special Use Permit, as set forth in Chapter 27.74 of the Zoning Code.
- 2) Development. Future development in this district shall substantially comply with the St. Matthew Parish Master Plan and Special Use Permit submitted as part of Planning Application #10-060 and as subsequently approved by the City Council on January 22, 2013.
- 3) Floor Area Ratio. This district shall have a maximum floor area ratio of 0.31. For the purposes of this district to calculate floor area, the size of the site is 310,400 square-feet. For purposes of this zoning district, FAR will be calculated per zoning plot and not per parcel.
- 4) Parking. In conformance with the Master Plan, this district shall allow the establishment of 12 new parking spaces which back-out directly onto Notre Dame Avenue. This is in addition to the 21 existing spaces that back out onto Notre Dame Avenue.

Section 2. The property located at One Notre Dame Avenue, set forth on the map attached hereto as Exhibit A, entitled “Zoning Reclassification, PA10-060 St. Matthew Parish and School Master Plan, APNs 034-232-340, 350, & 370,” shall be reclassified from R1-C (One Family Dwellings) to R1-C/Q7 (One Family Dwellings/Qualified Overlay District 7).

Section 3. The City’s Zoning Map, referenced in Chapter 27.18 of the San Mateo Municipal Code, shall be revised to reflect the reclassification of the property at One Notre Dame Avenue.

Section 4. SEVERABILITY. In the event any section, clause or provision of this Chapter shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect. It is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared to be invalid or unconstitutional.

Section 5. CEQA. In accordance with the California Environmental Quality Act, a Mitigated Negative Declaration has been adopted for this project.

Section 6. EFFECTIVE DATE. This Ordinance shall take effect 30 days after the date of adoption.

Section 7. PUBLICATION. This Ordinance shall be published in summary in the Examiner Peninsula Edition, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter.

The foregoing ordinance was introduced on January 22, 2013, and adopted by the City Council of the City of San Mateo, State of California on the 4th day of February, 2013, by the following vote:

AYES: COUNCIL MEMBERS LIM, ROSS, FRESCHET, AND MATTHEWS

NOES: GROTTÉ

ABSENT: NONE

ATTEST:

(SEAL) /s/ PATRICE M. OLDS
Patrice M. Olds, City Clerk

/s/ DAVID LIM
David Lim, Mayor