

RESOLUTION NO. 2777-2015

**PLANNING COMMISSION, CITY OF SOUTH SAN FRANCISCO
STATE OF CALIFORNIA**

A RESOLUTION RECOMMENDING MODIFICATIONS TO THE SOUTH SAN FRANCISCO ZONING CODE, RELATED TO SHORT-TERM VACATION RENTAL USES CITYWIDE

WHEREAS, in July of 2010, the City Council for the City of South San Francisco adopted a comprehensive update to the City's zoning ordinance, which repealed the then-existing Title 20 of the South San Francisco Municipal Code ("Zoning Ordinance"), and replaced it with an entirely new Title 20 that, among other actions, established new zoning districts, revised and reformatted many then-existing zoning provisions, eliminated inconsistent and outdated provisions, and codified entirely new zoning provisions, including new land use regulations and development standards; and,

WHEREAS, short-term vacation rental uses have grown in popularity with the rise of the sharing economy; and,

WHEREAS, the City has identified the need to regulate short-term vacation rental uses in order to minimize impacts to residential neighborhoods and preserve neighborhood character, while balancing tourism; and,

WHEREAS, staff recommends defining a short-term vacation rental as a lodging use that is subject to Transient Occupancy Tax and Conference Center Tax requirements; and,

WHEREAS, City staff prepared the attached Zoning Code text amendment ("Zoning Amendment") to include a definition of short-term vacation rentals as a new lodging sub-classification and establish performance standards for these use; and,

WHEREAS, the Zoning Ordinance was adopted after preparation, circulation, consideration, and adoption of an Initial Study/Negative Declaration ("IS/ND") in accordance with the California Environmental Quality Act, Public Resources Code Sections 21000, et seq. ("CEQA"), which IS/ND analyzed the environmental impacts of adopting the Zoning Ordinance and concluded that adoption of the Zoning Ordinance could not have a significant effect on the environment because none of the impacts required to be analyzed under CEQA would exceed established thresholds of significance; and,

WHEREAS, the refinements, clarifications, and/or corrections set forth in this Zoning Amendment, as they relate to Short-Term Vacation Rental uses Citywide, are minor in nature, the adoption of which would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed

and analyzed in the IS/ND prepared and circulated for the Zoning Ordinance, nor do the refinements, clarifications, and/or corrections constitute a change in the project or change in circumstances that would require additional environmental review.

WHEREAS, on September 3, 2015 the Planning Commission for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the proposed amendments, take public testimony, and make a recommendation to the City Council on the project.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan EIR; the South San Francisco Municipal Code; the Zoning Ordinance Text Amendments; and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed September 3, 2015 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

SECTION I FINDINGS

A. General Findings.

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. Exhibit A attached to this Resolution, is incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of Chief Planner, Sailesh Mehra.

B. Zoning Amendment Findings

1. The proposed Zoning Amendment is consistent with the adopted General Plan because the Zoning Amendment will reinforce the General Plan policies, is consistent with the relevant specific plans, and is consistent with the City’s overall vision for community development, economic vitality, and preservation of residential neighborhood character. None of the new or revised use definitions and modifications to allowable land uses will conflict with or impede achievement of any of the goals, policies, or land use designations established in the General Plan.
2. The Zoning Amendment to include the Short-Term Vacation Rental definition and performance standards for these uses would protect future land uses in the applicable zoning districts but would not affect any particular subject property. The zoning districts where Short-

Term Vacation Rental uses would be permitted or conditionally permitted are generally suitable in terms of access, size of parcel, relationship to similar or related uses, and other considerations as deemed relevant by the Planning Commission and City Council because the proposed uses are consistent with General Plan policies, specifically those policies related to maintaining a balanced land use program with appropriate performance standards to ensure that Short-Term Vacation Rental uses do not negatively impact residential neighborhoods.

3. The proposed change in permitted or conditionally permitted uses in certain zoning districts will not be detrimental to the use of land in any adjacent zone because the proposed Zoning Amendment will include performance standards for Short-Term Vacation Rental Uses that pertain to parking, safety, and occupancy limits.

SECTION II RECOMMENDATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution, and recommends that the City Council adopt an ordinance amending the Zoning Code, as attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

* * * * *

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at the regular meeting held on the 3rd day of September, 2015 by the following vote:

AYES: Chairperson Wong, Commissioner Lujan, Commissioner Nagales and Commissioner Ruiz

NOES: Commissioner Martin

ABSTENTIONS:

ABSENT: Vice Chairperson Khalfin and Commissioner Faria

Attest:

Sailesh Mehra
Secretary to the Planning Commission