



## Legislation Text

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**File #:** 22-803, **Version:** 1

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Ordinance amending Chapter 20.280 ("Downtown Station Area Specific Plan District") of the South San Francisco Municipal Code.

WHEREAS, the applicant has proposed to construct one Office/R&D building totaling approximately 943,965 square feet, atop a two-story podium parking structure with publicly accessible plazas and landscape areas, and other on- and off-site improvements on a 3.2 acre site at 121 E Grand Ave ("121 E Grand Ave R&D Project"); and

WHEREAS, the proposed Project is located within the Transit Office/ Research and Development Core (TO/RD) Zoning District; and

WHEREAS, the applicant has proposed amendments to the City's Zoning Ordinance ("Ordinance"), to amend Chapter 20.280, "Downtown Station Area Specific Plan District", to modify the development standards to allow additional density in order to implement the Project; and

WHEREAS, the applicant also seeks approval of a General Plan Amendment (GPA20-0002), Conditional Use Permit (UP20-0008), Design Review (DR20-0027), Transportation Demand Management Plan (TDM20-0010), and Tentative Parcel Map (PM22-0003), for the Project; and

WHEREAS, approval of the applicant's proposal is considered a "project" for purposes of the California Environmental Quality Act (Public Resources Code §21000, et seq.) ("CEQA"); and

WHEREAS, on behalf of the City, Knapp Consulting prepared an Initial Study/Mitigated Negative Declaration ("IS/MND") for the Project analyzing the potential environmental effects of the Project, which was submitted to the State Clearinghouse (SCH # 2022060734) and the San Mateo County Clerk and was circulated for a 30-day public review period, beginning on July 1, 2022, and ending on August 1, 2022; and

WHEREAS, the City received four comment letters on the IS/MND during the applicable comment period, and as set forth in the accompanying staff report and the record below, the City determined that the comments submitted do not result in new significant impacts or mitigation measures, or changed impact conclusions; the City determined that responses to comments and corrections to the IS/MND do not require recirculation of the IS/MND or preparation of an environmental impact report under sections 15073.5 and 15074.1 of the CEQA Guidelines; and

WHEREAS, the IS/MND concluded that, although the Project could have a potentially significant effect on the environment, there will not be a significant effect in this case because the IS/MND identifies measures that will be incorporated into the Project and to which the Project Sponsor has agreed to implement, which will either

avoid or mitigate to a level of insignificance all potentially significant or significant effects of the Project; and the City serving as the Lead Agency finds that on the whole of the record before it that there is no substantial evidence the project will have a significant on the environment; and the IS/MND reflects the City's independent judgement and analysis; and,

WHEREAS, the San Mateo County Airport Land Use Commission reviewed the proposed legislative enactments associated with the 121 E Grand Ave R&D Project on June 23, 2022 and found them consistent with the Airport Land Use Compatibility Plan; and

WHEREAS, on August 18, 2022 the Planning Commission conducted a properly noticed public hearing to consider the project environmental analysis and requested entitlements, and recommended that the City Council adopt the IS/MND and approve the 121 E Grand Ave R&D Project Entitlements, including Zoning Ordinance Amendments; and

WHEREAS, the City Council held a duly noticed public hearing on September 14, 2022 to consider the 121 E Grand Ave R&D Project IS/MND and the environmental analysis contained therein, and the requested entitlements, including the Zoning Ordinance Amendments, and take public testimony.

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 Environmental Impact Report; the South San Francisco Municipal Code; 2022 Initial Study/ Mitigated Negative Declaration, and associated Mitigation Monitoring and Reporting Program; the Project applications; the 121 E Grand Ave R&D Project Plans, as prepared by SOM, dated May 2, 2022; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed August 18, 2022 meeting; all site plans, and all reports, minutes, and public testimony submitted as part of the City Council's duly noticed September 14, 2022 meeting and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of South San Francisco hereby finds as follows:

## **SECTION 1. FINDINGS**

### **A. General Findings**

1. The foregoing recitals are true and correct and made a part of this Ordinance.
2. The Record for these proceedings, and upon which this Ordinance is based, includes without limitation, the documents referenced above, and all reports, minutes, submittals and public testimony submitted as part of the Planning Commission's duly noticed August 18, 2022 meeting and the meetings at which the City Council considered this Ordinance, and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2).

3. By Resolution No. 151-2022, the City Council, exercising its independent judgment and analysis, has found that an Initial Study/Mitigated Negative Declaration (ND21-0001), in accordance with Section 21151 of the California Public Resources Code was prepared for the Project, which adequately discloses and analyzes the proposed Project's potentially significant environmental impacts. For those impacts that could potentially exceed CEQA thresholds of significance, the City has identified and imposed mitigation measures that avoid or reduce the impact to a level of less-than-significant. Accordingly, the City Council has concluded that the IS/MND is the appropriate environmental document for the Project and no further environmental review is required, subject to future approval of a General Plan Amendment.
4. 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.

## **B. Zoning Ordinance Amendment Findings**

1. The Zoning Text Amendment allows an increase in allowable Floor Area Ratio in the TO/RD Zone District and is consistent with the General Plan, as proposed for amendment.
2. The purpose of the TO/RD Zone District is to provide a location for the highest intensity office or R&D uses in immediate proximity to the Caltrain Station. The Zoning Text Amendment is only increasing the allowable Floor Area Ratio in the TO/RD zone district and is not changing the allowed uses or other development standards. Therefore, the subject property is suitable for the uses permitted in the TO/RD zone in terms of access, size of parcel, relationship to similar uses, or any other relevant considerations.
3. The Zoning Text Amendment will not be detrimental to use of land in any adjacent zone as it does not impact any additional uses or alter additional development standards in the TO/RD zone.
4. Based on the record presented, the Zoning Text Amendment meets the criteria of Municipal Code section 20.550.008.

## **SECTION 2. AMENDMENTS**

The City Council hereby amends the following sections of the South San Francisco Municipal Code to read as follows. Sections and subsections that are not amended by this Ordinance are not included below and shall remain in full force and effect.

### **A. Amend Table 20.280.004-1 to modify the maximum density allowed in the Transit Office / Research and Development Zoning District, as follows:**

## 20.280.004-1 Lot, Density and FAR Standards - Downtown Station Area Specific Plan Sub-Districts

Standard	DTC	GAC	DRC	TO/RD	LCC	LNC	Additional Standards
Minimum Lot Size (sq. ft.)	5,000	5,000	5,000	10,000	5,000	5,000	
Minimum Lot Width (sq. ft.)	50	50	50	50	50	50	
Minimum Lot Depth (sq. ft.)	n/a	n/a	80	n/a	80	n/a	
Floor Area Ratio (FAR)							
Minimum FAR	2.0	1.5	n/a	1.5	n/a	2.0	
Maximum FAR	6.0	3.0	3.0	2.5	n/a	3.0	Exclusive of structured parking
Maximum FAR with Incentive Program	8.0	4.0	3.25 (1)	8.0	n/a	n/a	Exclusive of structured parking

**SECTION 3. SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of South San Francisco hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

**SECTION 4. PUBLICATION AND EFFECTIVE DATE**

Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this Ordinance along with the names of those City Council members voting for and against this Ordinance or otherwise voting. This Ordinance shall become effective thirty (30) days from and after its adoption.

Introduced at a regular meeting of the City Council of the City of South San Francisco held the 14th day of September 2022.

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