

**CITY OF SAN MATEO
ORDINANCE NO. 2020-9**

**Amending Section 26.64.030 "Private Park and Recreational Facility Space Credit," of Title 26, "Subdivisions,"
of the San Mateo Municipal Code**

WHEREAS, the Municipal Code currently allows for credits against the Park Impact Fee for on-site amenities provided within projects that reduce the potential impact on park use by project residents; and

WHEREAS, in order to qualify for the potential credits, the on-site amenities must meet a minimum threshold of at least 25% of the total project's required acreage of dedicated park land; and

WHEREAS, the City wishes to encourage the development of affordable housing projects; and

WHEREAS, it can be difficult for 100% affordable housing projects to meet the City's minimum threshold for receiving a credit for on-site recreational amenities; and

WHEREAS, staff recommends amending Municipal Code Section 26.64.030, Private Park and Recreational Facility Space Credit, to waive the minimum threshold requirement for 100% affordable housing projects in order for them to receive credits against the Park Impact Fee for any amount of on-site recreational amenities; and

WHEREAS, the Park and Recreation Commission has reviewed staff's proposal and recommends adoption to the City Council; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SAN MATEO ORDAINS AS FOLLOWS:

Section 1. Subsection (b)(1) of Section 26.64.030, "Private Park and Recreational Facility Space Credit," of Chapter 26.64, "Dedication of Land for Community Purposes" of the San Mateo Municipal Code is amended to read:

26.64.030 PRIVATE PARK AND RECREATIONAL FACILITY SPACE CREDIT

(1) The proposed private park and recreational facility space equals at least 25% of the acreage of the total parkland dedication requirement, except that residential development projects, which are 100% affordable to low and moderate income households, will have no minimum threshold. "Low or moderate income" households means persons and families whose income does not exceed 120 percent of area median income, as defined in Health and Safety Code section 50093."

Section 2. Environmental Determination. In accordance with California Environmental Quality Act (CEQA) Guidelines, section 15061(b)(3), adoption of this Ordinance is not a project subject to CEQA because it can be seen with certainty that lowering the threshold at which 100% affordable housing projects receive a park fee credit for providing private recreation improvements will not impact the environment because only 100% affordable housing projects located within ½ mile of major transit facilities will receive the credit and private recreational amenities will be provided.

Section 3. Severability. In the event any section, clause or provision of this ordinance 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.

Section 4. Publication. This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 5. Legislative History and Effective Date. This ordinance was introduced on June 15, 2020, and adopted on July 20, 2020, and shall be effective 30 days after its adoption.


The foregoing ordinance was adopted by the City Council of the City of San Mateo, State of California by the following vote:

AYES: Council Members Goethals, Rodriguez, Bonilla, Lee and Papan

NOES: None

ABSENT: None

ATTEST:


Patrice M. Olds, City Clerk


Joe Goethals, Mayor