

ORDINANCE NO. 1618

AN ORDINANCE OF THE CITY OF SAN CARLOS ADOPTING A ZONING DISTRICT BOUNDARY MAP AMENDMENT TO ALLOW PREZONING OF THE PROPERTY TO RS-3: SINGLE FAMILY, LOW DENSITY FOR THE PROPERTY LOCATED AT 244 CLUB DRIVE (APN: 049-050-070).

The City Council of the City of San Carlos does ordain as follows:

SECTION 1:

WHEREAS, the San Carlos City Council has received an application from the property owners of 244 Club Drive (APN: 049-050-070) for a Zoning District Boundary Map Amendment to allow for a prezoning designation of RS-3: Single Family, Low Density as initial steps to annexation of the subject property from the County of San Mateo into the City of San Carlos; and

WHEREAS, the San Carlos City Council has received an associated application from the aforementioned property for a General Plan Amendment to a land use designation of Single Family, Low Density (3 DUs/Acre); and

WHEREAS, it is determined that the aforementioned property is located within the Local Agency Formation Commission (LAFCo) adopted sphere of influence (SOI) of San Carlos; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the City Council has determined that the application for a General Plan Map Amendment and associated Zoning District Boundary (Map) Amendment for the aforementioned properties is exempt from the provisions of CEQA pursuant to Section 15319 Annexation of Existing Facilities and Lots for Exempt Facilities and Section 15303 New Construction or Conversion of Small Structures; and

WHEREAS, on April 1, 2024 the San Carlos Planning and Transportation Commission (PTC) conducted a public hearing for consideration of a Zoning District Boundary Map Amendment and Prezoning and Annexation for the aforementioned property to RS-3: Single Family, Low Density in consideration of a recommendation to the City Council regarding adoption of an Ordinance; and

WHEREAS, on April 1, 2024 the San Carlos PTC adopted PTC Resolution No. 2024-11 recommending City Council approval of a Zoning District Boundary Map Amendment and Prezoning and Annexation which includes the reasons for the recommendation, findings related to the criteria for zoning amendments in Section 18.35.080 and the relationship of the proposed amendment to applicable general and specific plans; and

WHEREAS, on June 24, 2024 City Council conducted a public hearing to consider the application from the property owners of the aforementioned property regarding a Zoning District Boundary Map Amendment and Prezoning of RS-3: Single Family, Low Density in conformance with Chapters 18.27 Common Procedures, 18.35 Amendments to the Zoning Ordinance and Map and 18.38 Prezoning and Annexation Procedure of the San Carlos Municipal Code and to receive PTC Resolution No. 2024-11 recommending approval of such; and

WHEREAS, the City finds that a Zoning District Boundary Map Amendment and Prezoning

of RS-3: Single Family, Low Density for the aforementioned property is consistent with the City of San Carlos General Plan and Municipal Code.

SECTION 2: The City Council makes the following findings:

A. Regarding Section 18.35.080 B. Zoning District Boundary Map Amendments of the San Carlos Municipal Code:

1. *The change in district boundaries is consistent with the General Plan.*

Basis for Finding: The site is proposed for a General Plan land use designation of Single Family, Low Density (3 DUs/Acre) which is consistent and reflective of applicable General Plan policies.

2. *The change in district boundaries is consistent with the purpose of this title to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare;*

Basis for Finding: Annexation of this parcel is occurring in an orderly and systematic matter as City jurisdiction and services are currently immediately adjacent to the subject site and would simply be extended to cover this one developed parcel. Annexation will result in clearer and more efficient emergency service to be provided to the site.

3. *The change in district boundaries is necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given zoning district.*

Basis for Finding: Annexation of the parcel results in the addition of one new single-family home into the City's housing stock and a slight increase in the annual property tax revenue to be received. The use and nature of the existing single-family home is consistent and complimentary to the established surrounding land use pattern of other single-family homes in the adjacent City neighborhoods.

B. Regarding Section 18.38.040 Annexation Regulations:

1. The site is located contiguous both to the City boundary and a city maintained street. A fiscal impact analysis has been prepared by an economic development and consulting firm which concludes that the City will receive annual net revenue and that no additional recurring service costs are directly associated. Staff has determined the project to be exempt from the provisions of CEQA per Section 15319 Annexation of Existing Facilities and Lots for Exempt Facilities and Section 15303 New Construction or Conversion of Small Structures. Public services and facilities are determined to be available. The site is a developed parcel and complies with the associated requirements provided within Section 18.38.040(C).

SECTION 3: The approved Zoning District Boundary Map Amendment to prezone the property to RS-3: Single Family, Low Density is set forth in the map listed as Exhibit "A" and with conditions of approval as set forth in Exhibit "B".

SECTION 4: That the City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does

hereby declare that any provisions of this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 5: This Ordinance shall be published and posted according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

I, City Clerk Crystal Mui hereby certify that the foregoing Ordinance was introduced on the 24th day of June 2024 and adopted at a regular meeting of the City Council of the City of San Carlos held on the 12th day of August 2024, by the following vote:

AYES, COUNCIL MEMBERS: _____

NOES, COUNCIL MEMBERS: _____

ABSENT, COUNCIL MEMBERS: _____

CITY CLERK of the City of San Carlos

APPROVED:

MAYOR of the City of San Carlos

Exhibits:

- A. Zoning District Boundary Map Amendment Map
- B. Zoning District Boundary Map Amendment Conditions of Approval

Exhibit A – Zoning District Boundary Map Amendment Map



Zoning District Boundary Map Amendment: RS-3: Single Family, Low Density

Exhibit B– Zoning District Boundary Map Amendment Conditions of Approval for annexation of 244 Club Drive (APN: 049-050-070)

1. The applicant shall apply to the Local Agency Formation Commission (LAFCo) for annexation to the City of San Carlos.
2. The rezoning shall remain the same for two years after annexation in compliance with Chapter 18.38 of the San Carlos Municipal Code.
3. The applicant shall comply with all future conditions of the Public Works Division, to the satisfaction of the Public Works Director, including but not limited to the following prior to annexation:
 - a. The Applicant shall be responsible for preparing and submitting an application to LAFCo requesting a detachment/annexation of the subject property into the City service boundary and obtain LAFCo approval and provide a recorded LAFCo Certificate of Compliance to the City Engineer prior to the City accepting, reviewing or approving any application for a sewer connection to the City sewer system. The Applicant shall be responsible for coordinating with the County, the lead agency, and LAFCo and pay all applicable and necessary fees as required by LAFCo and the County for processing, review and approval of the detachment/annexation proceedings.
 - b. The applicant shall pay all applicable and required public services charges and City fees including but not limited to sewer connection fees, Building Permit fees, Encroachment Permit fees, Plan Check and Inspections fees prior to issuance of a Building Permit, Sewer Construction Permit, Encroachment Permit or any connection to the City sewer system.
 - c. The Applicant shall prepare and submit engineering design level drawings to the City for review, approval and issuance of applicable permits prior to starting any construction or connection to the City sewer system. The permit drawings shall include traffic control plans.
 - d. All existing improvements displaced or damaged during construction shall be replaced in kind and to the satisfaction of the City Engineer.
 - e. A Sewer Construction Permit must be obtained from the Public Works Department prior to starting any sewer construction work.
 - f. A new sanitary sewer cleanout shall be constructed at the property line in accordance with the City Standard Specifications and Standard detail No. 17. Trench replacement within the City public street right of way shall be in accordance with the City Standard Detail No. 18.
 - g. Any new force mains or pump station shall be installed on private property and shall be owned and maintained by the property owner(s).
4. The applicant shall comply with any and all future conditions of the Building Division, to the satisfaction of the Chief Building Official, prior to annexation.

5. The applicant shall be responsible to obtain any and all required approvals from the San Mateo County Environmental Health Department.
6. The applicant shall comply with any and all future conditions of the Fire Department, to the satisfaction of the Fire Marshal prior to annexation.