

Board Meeting Date: April 9, 2019
Special Notice / Hearing: 10-Day Notice
Vote Required: Majority

To: Honorable Board of Supervisors

From: Steve Monowitz, Community Development Director

Subject: EXECUTIVE SUMMARY: Consideration of a an offer to dedicate a public easement for public use to create a 10-foot wide sidewalk in association with the construction of a 67-unit affordable housing residential project located at 2821 El Camino Real in the unincorporated North Fair Oaks area of San Mateo County.

County File Number: BLD 2018-01934
(2821 El Camino Real, L.P./Palo Alto Housing)

RECOMMENDATION:

Recommendation to the Board of Supervisors to:

Adopt a resolution authorizing the Community Development Director to execute and accept an easement for the public right-of-way and associated maintenance agreement to create a 10-foot-wide sidewalk located at 2821 El Camino Real.

BACKGROUND:

In 2017, California adopted a number of new laws in an attempt to address the statewide housing crisis. One of those laws, Senate Bill (SB) 35 (effective January 1, 2018) requires local jurisdictions in which the number of housing units prescribed by the Regional Housing Needs Allocation (RHNA) have not been constructed to streamline the review process and approve certain affordable housing projects on a ministerial basis. Palo Alto Housing, a local non-profit organization, has proposed to construct a four-story 67-unit affordable housing project that is subject to SB 35 permit streamlining. Though this project is no longer subject to discretionary approval, the project is still subject to the objective development standards contained within the Zoning Regulations and the County's Building Regulations. The applicant has submitted a building permit application (BLD 2018-01934) and anticipates that construction of the project will begin in spring 2019.

Sidewalk Easement

The Commercial Mixed Use (CMU-1) Zoning District requires all projects to provide a sidewalk easement dedicating any required front setback necessary to create a 10-foot-wide sidewalk on El Camino to be used by the public. The existing sidewalk, located within the Caltrans right-of-way, in front of the subject property ranges from 5 to

8 feet in width. The applicant, Palo Alto Housing, has offered the County a 570 sq. ft. (3-foot to 5-foot wide) sidewalk easement adjacent and parallel to the existing sidewalk in order to create a continuous 10-foot wide sidewalk. With this offer of this sidewalk easement to the County, the proposed project has met all of the objective zoning and design standards of the CMU-1 Zoning District.

DISCUSSION:

Prior to the effective date of SB 35, a pre-application community workshop regarding the project was held on September 9, 2017 at the Fair Oaks Community Center. At that time, discretionary approvals including a Use Permit, Off-Street Parking Exception, Site Development Permit, and Grading Permit were required. As this project has since become subject SB 35 permit streamlining, discretionary approvals are no longer required and the project only requires a ministerial building permit review and approval process. As such, the North Fair Oaks Community Council will not have a direct role in reviewing the proposed project. An informational memo outlining the project, SB 35, and the project's compliance with SB 35 went before the North Fair Oaks Community Council at their January 17, 2019 meeting.

The project complies with all applicable policies of the County General Plan and North Fair Oaks Community Plan and will provide a mix of studios and one-bedroom affordable housing units for disabled veterans and individuals earning up to 70% of the area median income (AMI). With the offer of the subject sidewalk easement, the project complies with all objective zoning and design standards contained within the CMU-1 Zoning District.

The Planning and Building Department has prepared a form of easement and maintenance agreement whereby 2821 El Camino Real, L.P., will grant the subject area to the County for public use and maintain such an area in perpetuity.

County Counsel has reviewed and approved the easement, maintenance agreement, and resolution as to form.

Acceptance of the subject easement and maintenance agreement b (and thus conformance of the proposed affordable housing development to the Commercial Mixed Use Zoning District) contributes to the Shared Vision 2025 of a Livable Community by achieving the desired uses adopted in the North Fair Oaks Community Plan.

FISCAL IMPACT:

No fiscal impact.