



Legislation Text

File #: 16-829, Version: 1

An Ordinance amending the South San Francisco Zoning Map and Zoning Ordinance to rezone three vacant parcels (APN 015-114-420, APN 015-114-480, and APN 015-114-490) from the Freeway Commercial to the Mixed Industrial zoning district to allow the expansion of a vehicle rental facility at 1440 San Mateo Avenue.

WHEREAS, on June 19, 2015, the property identified as 1440 San Mateo Avenue received approval from the Zoning Administrator for a Minor Use Permit (MUP15-0001) to operate a vehicle rental facility on two vacant parcels (APNs 015-114-470 and 015-114-460) in the Mixed Industrial zoning district; and

WHEREAS, since that time the applicant has requested that the City consider rezoning three adjoining parcels (APNs 015-114-420, 015-114-480, and 015-114-490) from the Freeway Commercial to Mixed Industrial zoning district to permit the vehicle rental facility to expand (“Project”); and

WHEREAS, all of the parcels associated with the approved rental facility and the proposed amendment to the Zoning Map and Zoning Ordinance (“Zoning Map and Ordinance Amendment” or “Amendment”) are under common ownership; and

WHEREAS, City staff has evaluated the request and determined that the proposed Project and associated Amendment would be consistent with the surrounding land uses and operation; and

WHEREAS, the City has prepared the Zoning Map and Ordinance Amendment to rezone the three adjoining parcels (APNs 015-114-420, 015-114-480, and 015-114-490) from the Freeway Commercial to the Mixed Industrial zoning district; and

WHEREAS, the proposed Amendment is consistent with the General Plan, as certain industrial uses are permitted under the Community Commercial/Regional Commercial General Plan designation; and

WHEREAS, cumulatively, the Amendment provides flexibility for the applicant and property owner to fully utilize their parcels, which are otherwise inaccessible to a separate user and are unlikely to redevelop with a use permitted under the Freeway Commercial zoning district, which prioritizes large format retail development; and

WHEREAS, the City prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project; and

WHEREAS, the IS/MND was circulated for the required 30-day public comment period which began on June 10, 2016, and ended on July 11, 2016, at 5:00 p.m.; and

WHEREAS, no comments were received on the document; and

WHEREAS, on July 21, 2016, the Planning Commission for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the IS/MND (ND16-0001), Zoning Map and Ordinance Amendment (RZ15-0001, ZA15-0011), and modifications to Minor Use Permit (MUP15-0001); and

WHEREAS, on July 21, 2016, the Planning Commission for the City of South San Francisco reviewed and carefully considered the information and recommended that the City Council approve the IS/MND, adopt an Ordinance amending the Zoning Map and Ordinance, and approve the modification to the existing Minor Use Permit; and

WHEREAS, on September 28, 2016, the City Council for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the IS/MND (ND16-0001), Zoning Map and Ordinance Amendment (RZ15-0001, ZA15-0011), and modifications to Minor Use Permit (MUP15-0001).

NOW, THEREFORE, BE IT ORDAINED that based on the entirety of the Record before it, as described below, the City Council of the City of South San Francisco does hereby ORDAIN as follows:

SECTION I. FINDINGS.

Based on the entirety of the record as described above, the City Council for the City of South San Francisco hereby makes the following findings:

I. 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, Federal and State law; 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, including all amendments and updates thereto; the South San Francisco Municipal Code; the draft Zoning Map and Ordinance Amendment, the IS/MND and the Mitigation Monitoring and Reporting Program prepared by Raney Planning & Management, Inc., the proposed modification to Minor Use Permit (MUP15-0001), and all appendices thereto; all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed July 21, 2016 meeting; all reports, minutes, and public testimony submitted as part of the City Council’s duly noticed September 28, 2016 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2).
3. The Revised Zoning Map attached as Exhibit A to this Ordinance is incorporated by reference and made a part of this Ordinance, as if set forth fully herein.
4. By separate Resolution, the City Council, exercising its independent judgment and analysis, has found that an IS/MND was prepared for the Project in accordance with CEQA, which analyzes the proposed

Project, and which IS/MND adequately discloses and analyzes the proposed Project's potentially significant environmental impacts and its cumulative impacts; accordingly, the City Council certifies the IS/MND for the Project in accordance with CEQA.

5. 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 the Planning Manager, Sailesh Mehra.

II. Zoning Map and Ordinance Amendment Findings

1. The adoption of the proposed Project will include an amendment to the South San Francisco Zoning Map and Ordinance, maintained by the Planning Division. The Zoning Map and Ordinance will be amended to revise the zoning district designation from Freeway Commercial (FC) to Mixed Industrial (MI) for Assessor's Parcel Numbers 015-114-420, 015-114-480, and 015-114-490.
2. The proposed Zoning Map and Ordinance Amendment meets the purposes of Chapter 20.550 and is consistent with the General Plan because the Amendment will reinforce many of the General Plan's Community Commercial policies, which recommend regional serving commercial uses including service stations, automobile sales and repair services. This area of the City, identified as the Lindenville Planning Sub-area in the General Plan, is the only industrial area west of U.S. 101 and thus, provides important light industrial uses, such as vehicle rental, within proximity to the residents of the City. Further the change in zoning designation does not conflict with any specific plans, and will remain consistent with the surrounding land uses, which include industrial and commercial development, such as automobile services and long-term parking lot uses. The proposed Amendment will not conflict with or impede achievement of any of the goals, policies, or land use designations established in the General Plan.
3. The subject property (designated parcels) is suitable for the uses permitted in the Mixed Industrial zoning district in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Planning Commission and City Council because the introduction of the Zoning Map and Ordinance Amendment will activate three otherwise vacant parcels and allow the Mixed Industrial zoning district designation across all five properties under common ownership and operated by Payless Vehicle Rental. Although specific parcels would be affected as part of the Zoning Map and Ordinance Amendment, the impact would be beneficial since property owners would have a wider range of uses to improve or develop upon their property and the uses permitted under the Mixed Industrial zoning district would not preclude surrounding development on the adjacent Freeway Commercial (FC) zoning district. The Zoning Map and Ordinance Amendment is consistent with General Plan policies, specifically those policies related to regional serving uses.
4. The proposed Zoning Map and Ordinance Amendment is not detrimental to the use of land in any adjacent zone because the Zoning Map and Ordinance Amendment would support the existing development, land use, and performance standards defined by the Mixed Industrial zoning district which already govern the adjacent properties. Finally, the proposed Zoning Map and Ordinance Amendment will not be detrimental to the public interest, convenience, or welfare of the City or land within the City; instead, the Zoning Map and Ordinance Amendment will bolster the public interest by utilizing vacant parcels for a permitted and regulated land use (vehicle rental), which is a regional serving use, consistent with surrounding uses, and recommended by the General Plan's land use element

and Lindenville planning sub-area.

SECTION II. AMENDMENTS.

The City Council hereby amends the South San Francisco Zoning Map, as shown in Exhibit A to reflect the proposed Zoning Map and Ordinance Amendment. All other areas of the Zoning Map and Ordinance that are not amended by this Zoning Map and Ordinance Amendment are not included in Exhibit A, and shall remain in full force and effect.

SECTION III. 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 IV. 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.

* * * * *

Exhibit A - Rezone Map with Final Changes

Rezone parcels APNs 015-114-420, 015-114-480, and 015-114-490 to Mixed Industrial (MI)

