

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

AN URGENCY INTERIM ORDINANCE TO (1) LIMIT BUILDING HEIGHT AT 28 FEET, AND (2) ESTABLISH A FLOOR AREA LIMIT FOR SINGLE-FAMILY RESIDENTIAL (R-1) ZONED PROPERTIES IN THE MID-COAST

The Board of Supervisors of the County of San Mateo, State of California, ORDAINS as follows:

Section 1. Notwithstanding any provision of the San Mateo County Ordinance Code, the following shall apply in that portion of the unincorporated San Mateo County known as the Mid-Coast, as shown on the attached map (Exhibit A):

1. Building Height in Single-Family Residential (R-1) Zoning Districts

The maximum building height in the R1/S9, R1/S10, and R1/S13 zoning districts shall be 28 feet.

Chimneys, pipes, mechanical equipment, antennae and other common facilities may extend beyond 28 feet to a maximum of 36 feet as required for safety or efficient operation.

In all Mid-Coast single-family residential (R1) zoning districts, plate height for any portion of a building that extends into the front setback shall not exceed 10 feet. Plate height shall be measured as the vertical distance from: (1) any point on the natural grade to the bottom of the lowest ceiling joist where the framing of the roof begins, or (2) any portion on the lowest floor, if the lowest floor is below the natural grade, to the bottom of the lowest ceiling joist where the framing of the roof begins. No second story shall be allowed in any portion of a building that extends into the front setback.

2. Maximum Building Floor Area in Single-Family Residential (R-1) Zoning Districts

The maximum building floor area in all Mid-Coast single-family residential (R1) zoning districts shall be one half (0.5) of the parcel area.

Building floor area shall include the floor area of all stories of all buildings and accessory buildings on a building site, as follows: (a) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (b) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (c) regarding garages and carports, (1) for parcels less than 5,000 sq. ft., the area of all garages and carports that exceed 200 sq. ft., and (2) for parcels 5,000 sq. ft. or larger, the area of all garages and carports that exceed 400 sq. ft.

Section 2. Where the provisions of this ordinance conflict with existing provisions of the San Mateo County Ordinance Code, this ordinance shall take precedence. All other provisions of the San Mateo County Ordinance Code not in conflict with provisions of this ordinance shall remain in full force and effect.

Section 3. Pursuant to State Planning and Zoning Law (Government Code Section 65858), the San Mateo

County Board of Supervisors finds that there is a current and imminent threat to the public welfare presented from buildings constructed to the limits of the existing Mid-Coast zoning development standards, and that the approval of additional subdivisions, use permits, variances, building permits or any other applicable required entitlement would result in that threat to the public welfare.

This finding is based on the fact that:

1. The existing 36-foot height limit in the R1/S9, R1/S10 and R1/S13 single-family residential zoning districts would continue to allow looming structures that: (1) are not in scale with surrounding development, (2) adversely affect a neighbor's privacy and available sunlight, and (3) may block ocean views from public viewing points, and
2. The existing residential setback and lot coverage requirements would continue to allow large homes that conflict with the scale of the community contrary to General Plan and Local Coastal Program policies requiring that Mid-Coast development: (1) relate to the size and scale of the surrounding development, (2) contribute to the orderly and harmonious community growth, and (3) not block ocean views from public areas.

Section 4. This ordinance shall not apply to development that has fulfilled at least one of the following requirements before December 7, 1999:

1. A permit application for each development permit required by the County Zoning Regulations applicable to the proposed development, including a Coastal Development Permit application, has been submitted to the County, or
2. A building permit application has been submitted to the County, if no development permit is required by the County Zoning Regulations, or
3. A development agreement has been recorded between the County and the owner of the property where the development will occur, and the proposed development conforms with the terms of that development agreement.

Section 5. This ordinance shall take effect immediately, and be of no further force and effect ten and one half (10 1/2) months from the date of its adoption, unless extended in accordance with applicable provisions of law.

Section 6. The initial urgency interim ordinance (Ordinance No. 03934), adopted on December 7, 1999, no longer has the force and effect of law.