

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** June 23, 2026

To: Honorable Board of Supervisors

From: Steve Monowitz, Director of Planning and Building

Subject: **EXECUTIVE SUMMARY:** Consideration of an Ordinance Adopting New Design Review Standards.

**PROPOSAL**

The overarching goals of the Design Review (DR) Ordinance Update Project (Project) are to revise the current DR Zoning District design standards such that they are objective in order to replace subjective standards, which cannot be enforced per State law for State-streamlined housing project types; and to further streamline design review, including, but not limited to establishing a ministerial design review process in areas outside of the Coastal Zone.

In the Midcoast, the Coastsides Design Review Committee (CDRC) would continue its discretionary design review of projects that are not subject to State streamlining. (Note that, to date, qualifying Accessory Dwelling Units (ADUs) are the only housing type subject to mandatory ministerial review in the Coastal Zone).

*County Design Review Districts*

The County's Design Review zoning districts include the Midcoast in the Coastal Zone, and Emerald Lake Hills/Oak Knoll Manor, Devonshire, and Palomar Park outside of the Coastal Zone; Design Review Committees administer the regulations in these areas. The Design Review zoning districts also include areas where design review is conducted at a staff level, including San Gregorio, Pescadero, and the Rural Midcoast in the Coastal Zone, and Planned Colma outside of the Coastal Zone. Maps showing DR zoning districts are included as Attachment C.

*State Laws Limiting Application of Subjective Design Review Standards*

The State legislature enacted legislation to streamline permitting, including limiting application of design review standards to objective standards, of Accessory Dwelling Units (ADUs), and projects under Senate Bill 35 (which allows by-right production of new housing with at least 10 percent affordable units in municipalities that have not met their Regional Housing Need Allocation) and SB 9 (which allows multiple units on urban, single-family residential parcels), among others. Both SB 9 and SB 35 are effective in the unincorporated areas of the County that are outside of the Coastal Zone and have very limited applicability in the Coastal Zone. Design standards are "objective" if they

are measurable, verifiable, and knowable to all parties prior to project submittal. State law generally requires ministerial review of these qualifying housing projects, effectively prohibiting public comment periods, potential hearings, and appeals associated with discretionary review procedures.

Adoption of the ordinance will enable the County to apply design review standards to ADUs and other State-streamlined housing types that have been largely approved without design standards since the adoption of State laws described above. Compliance with the updated ordinance will increase compatibility with the surrounding neighborhoods while still facilitating streamlined processing and approval.

**SUMMARY**

Compliance with County General Plan: The General Plan encourages the establishment and maintenance of design review districts within Coastal and non-Coastal areas of the unincorporated County.

Compliance with the Local Coastal Program (LCP): Through various policies, as listed in Attachment B, the LCP encourages the establishment and maintenance of design review districts within Coastal areas of the unincorporated County.

New Ministerial Design Review process outside of the Coastal Zone, new exception process, and new fees: Currently, in Design Review districts outside of the Coastal Zone, a discretionary Design Review permit is required for new houses, additions over 500 sq. ft., and major design changes to existing homes. Obtaining a Design Review permit for such projects requires public notice to property owners within 300 feet of a project site, a public hearing, an appeal process, and adds substantial cost (approximately \$5,200-\$7,700) and time (approximately four to eight months) to the permitting process. In these areas, the ordinance would streamline design review permits by establishing a ministerial staff-level design review process, thereby eliminating the Bayside Design Review Committee and the Emerald Lake Hills Design Review Officer (DRO) hearing and associated DRO role for these non-coastal areas. The proposed ministerial design review process would not require public notice and would not be appealable. Review for compliance would be completed by staff, using objective standards and a checklist format, either before or during the building permit process for projects.

Table 1: Review Process by Project Type in Non-Coastal Zone		
	Current Ordinance	Updated Ordinance
<i>State-streamlined housing (e.g., SB 9, SB 35, ADUs)</i>	Ministerial review with application of limited existing objective standards for SB 9 projects; no objective standards for other housing types	Ministerial review with objective standards
<i>Non-State-streamlined housing (SFDs, Additions)</i>	Discretionary review with objective and subjective standards	Ministerial review with objective standards

Table 2: Review Process by Project Type in Coastal Zone		
	Current Ordinance	Updated Ordinance
<i>State-streamlined housing (e.g., ADUs)</i>	Ministerial review with no objective standards applied	Ministerial review with objective standards
<i>Non-State-streamlined housing (SFDs, Additions)</i>	Discretionary review with objective and subjective standards	Discretionary review with objective standards

The Project also proposes new processes to allow for minor exceptions (subject to approval by the Director, when a project is in substantial conformance with the design review standards) and major exceptions to the standards through a use permit process. New fees to account for the new processes created by the ordinance (ministerial review and exception processes) are proposed for adoption by Board resolution. These fees are compatible with existing permit fees with similar processes and work products (See Attachment D of the Memo for the Fee Study).

Story poles requirement for larger projects increased exemption threshold in the Midcoast: The Project incorporates existing County story pole policy into the ordinance, making the policy enforceable rather than advisory. The ordinance would require story poles for projects 800 sq. ft. or larger, and digital renderings to demonstrate scale for projects smaller than 800 square feet. As the story pole requirement would add process and costs for projects, the CDRC suggested a simultaneous increase of the size threshold for projects exempt from CDRC review from 150 sq. ft. to 500 square feet. This would allow smaller projects (e.g., additions, garages) which under current regulations would be reviewed by the CDRC, to go through a staff-level ministerial formal exemption.

Exterior lighting standards: At its May 13, 2026 hearing, the Planning Commission recommended approval of a revised Standard G3 of the ordinance to require that all development comply with the 2,200 Kelvin (k) color rating limit, except that, for single-family residential use, the standard would only apply to new construction, major remodel/addition projects, and minor work to requiring a planning or building permit. The revision is intended to address concerns regarding financial impact to elderly homeowners with older houses and light fixtures by excluding existing homes from application of Standard G3. A major remodel or addition that would require compliance with the lighting standard would be an activity that meets the definition of a “Major Repair, Remodel or Upgrade” in Section 8.388.020.9 of the Zoning Regulations, as follows: “[a]ny combination of activities intended to repair, rehabilitate, upgrade or otherwise extend the usable life of an existing structure that amounts to 50 percent or more of the structure’s value, as determined by the most current Building Valuation Data published by the International Conference of Building Officials.” No change is proposed to application of the 2,200k limit for commercial, industrial, or multi-family residential properties.

Bird-Friendly Transparent Surface Treatment Standard: At its May 13, 2026 hearing, based on public comment from Green Foothills and Santa Clara Valley Bird Alliance, the Planning Commission added Standard E2 which requires bird-friendly treatment of transparent exterior surfaces for new projects; portions of new stand-alone single-family residences that exceed 30 feet above grade; building side(s) of multifamily housing where a building side consists of 40 percent or more glass over the building side surface; additions and existing development that replace 50 percent or more of the existing exterior glass; and exempting 100 percent affordable multifamily housing.

Related Zoning Text Amendments: In addition to replacing the Design Review chapter of the Zoning Regulations, the Project includes text amendments to the Zoning Regulations, specifically language in the S-17, S-94, and S-105 zoning districts allowing for compliance with daylight plane or facade articulation requirements. All proposed changes to the County Zoning Regulations are described in Section 3 the Ordinance.

Environmental Review: In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), adoption of the ordinance is covered by the “common sense exemption” in that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Here, it can be seen with certainty that adoption of an ordinance providing objective design standards would not cause a physical change in the environment and therefore would not have a significant effect on the environment.

### **FISCAL IMPACT**

The enforcement of design review standards on new projects will have a negligible fiscal impact on the County as the project includes new fees for new staff-level processes. However, the enforcement of design review standards on non-conforming properties may result in a minimal fiscal impact to the County, as it may result in additional code complaints and investigation. Such enforcement actions would be at the County’s discretion and based on the level and priority of the violation and staffing levels. The Department’s Code Compliance section will continue to be primarily funded by the County General Fund.