



BOARD OF SUPERVISORS

Board of Supervisors Chambers
400 County Center, Redwood City

Item #5

Owner: **N/A**
Applicant: **County Planning and Building Department**
File Number: **PLN2023-00182**
Location: **Countywide, excluding Coastal Zone**
APN: **Various**

PLANNING AND BUILDING DEPARTMENT



PROJECT DESCRIPTION

An ordinance amending Chapter 22.5, Accessory Dwelling Units, of the Zoning Regulations to comply with recent changes to State law, adopt additional fire standards, and make minor amendments for clarity and consistency.

The ordinance, if adopted, will apply to the bayside unincorporated area of San Mateo County, and will not apply in the Coastal Zone.



BACKGROUND AND PURPOSE

- Last ADU regulations update(s) took place in 2020-2021 to be consistent with State law Government Code Section 65852.2
- Additional changes to State law that went into effect January 1, 2023, most substantially due to AB 2221 and SB 897, require further County updates



PLANNING COMMISSION

- On April 10, 2024, the San Mateo County Planning Commission voted to recommend that the Board of Supervisors adopt the subject ordinance amending Chapter 22.5, Accessory Dwelling Units.



PROPOSED AMENDMENTS

- Allow ADUs that are a minimum of 800 square feet in size, provide side and rear setbacks of at least 4 feet, and are within existing height limits, to be located within front setbacks if other configurations are not possible.
- Require a Conditional Use Permit for ADUs proposed to be built atop or below an existing detached garage that is located within the required front setback and prohibits the application of front setback provisions in a manner that precludes the creation of an ADU.



PROPOSED AMENDMENTS

- Remove the requirement to replace parking provided by an existing garage if it is converted to ADU.
- Allow multiple detached ADUs on lots with multifamily structures.
- Remove the requirement to correct existing non-conformities unless the non-conformities are a threat to public health and safety



PROPOSED AMENDMENTS

- Allow JADU's to share sanitation facilities with the primary residence
- Require fire rated materials required for architectural features on side(s) of ADU that don't meet four (4) feet setback requirement
- Prohibit granting of parking exemptions for properties in WUI areas, and where proper fire engine access and turnaround is not provided
- Include other minor wording adjustments for clarity and consistency



ENVIRONMENTAL REVIEW

Per California Environmental Quality Act (CEQA) Guidelines Section 21080.17 and CEQA Guidelines Section 15282(h), adoption of ordinances relating to second units (accessory dwelling units) to implement specific Government Code sections (Sections 65852.1 and 65852.2) is exempt from CEQA.



RECOMMENDATION

Adopt an ordinance amending the County Ordinance Code, Division VI, Part One (Zoning Regulations) to revise the existing Chapter 22.5 (Accessory Dwelling Units) in order to comply with State law, to adopt additional fire standards, and make minor amendments for clarity and consistency, previously introduced at the Planning Commission meeting on April 10, 2024, and waive reading of the ordinance in its entirety.



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