



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: August 20, 2012
Board Meeting Date: September 11, 2012
Special Notice / Hearing: Newspaper 10-Day
Notice/Property Owners
Vote Required: 4/5ths

To: Honorable Board of Supervisors

From: Jim Eggemeyer, Community Development Director

Subject: EXECUTIVE SUMMARY: Public hearing to consider (1) an extension of the current Urgency Interim Ordinance amending the San Mateo County Zoning Code to add the S-75 Combining District for the Weekend Acres area; and (2) amendments to the San Mateo County Ordinance Code to revise the S-75 Combining District for the unincorporated Weekend Acres area.

RECOMMENDATIONS:

Public hearing to consider:

1. Adoption of an Urgency Ordinance extending the Interim Ordinance amending, on an interim basis, the San Mateo County Ordinance Code (Zoning Annex), Division VI, Part One, Chapter 20, "S" (Combining Districts), to add the S-75 Combining District (Weekend Acres), and Chapter 2, Section 6111, Combining Districts, to add the "S-75" Combining District, for a period of one year or until such time that the revised S-75 Combining District (Weekend Acres) provisions in the San Mateo County Ordinance Code (Zoning Annex) becomes effective, whichever comes first (4/5ths vote required).
2. Adoption of the required Findings in Attachment A.
3. Adoption of an ordinance amending the San Mateo County Ordinance Code (Zoning Annex), Division VI, Part One, Chapter 1, General Provisions, to add the definitions of Top of Side Slope and Ordinary High Water Level and renumber the definition of Top Soil; and Chapter 20, "S" (Combining Districts) to add the "S-75" Combining District (Weekend Acres), and Chapter 2, Section 6111, Combining Districts, to add the "S-75" Combining District.

BACKGROUND:

On November 15, 2011, the Board of Supervisors (the Board) adopted an Urgency Interim Zoning Ordinance, creating the S-75 zoning district, for the Weekend Acres

area. Compared to the prior S-7 zoning designation, these interim regulations reduced the maximum allowable building height from three stories/36 ft. to two stories/28 ft. and introduced Floor Area Ratio (FAR) and daylight plane requirements in Weekend Acres. (The 1986 General Plan designates the area "Weekend Acres," although it is also referred to as "Stanford Weekend Acres" by many residents). The Urgency Interim Ordinance establishing the S-75 regulations is in effect only until the end of September 2012, although it may be extended for an additional 12 months. The Board also directed staff to develop permanent zoning regulations for the Weekend Acres area.

DISCUSSION:

Staff, upon recommendation of the Planning Commission, is proposing requested amendments to the Board for consideration. However, even if acted upon by the Board today, they will not go into effect until October 11, 2012, which is after the Urgency Ordinance expires on September 30, 2012. For this reason, staff recommends that the Board extend the current Urgency Interim Ordinance for one year or until the revised S-75 regulations take effect, as allowed by state law, to cover this gap.

Following the Board's direction in November 15, 2011, Planning staff conducted extensive research on zoning issues related to the Weekend Acres area. The public had repeatedly expressed interest in limiting the height, mass and bulk of homes. There was also interest in preserving backyard privacy and sunlight, in protecting the San Francisquito Creek, and in mitigating the likelihood of flooding impacts from the creek, among other concerns. In trying to address these issues, Planning staff explored several zoning tools: (1) Floor Area Ratio (FAR) limits to the bulk and mass of homes, (2) building height limits, (3) daylight plane requirements to preserve side yard sunlight and privacy, and (4) required creekside setbacks. The recommendation presented to the Board addresses all of these key issues.

In addition to these topics, some members of the public and the Planning Commission (the Commission) were interested in exploring other zoning tools, including: (1) dividing Weekend Acres into multiple zone districts; (2) imposing a net lot area requirement on parcels with creek frontage; and (3) establishing design review. Planning staff researched these topics, and presented its recommendations to the Planning Commission. After much public comment and discussion by the Commission, the Commission declined to include these zoning tools in its recommendation to the Board.

Planning staff held an initial public workshop on zoning in the Weekend Acres area, as did the Planning Commission. The Planning Commission also held a field trip in the area, as well as an additional public hearing on July 25, 2012. In addition to many public comments made at the various public hearings and workshops mentioned above, Planning staff and the Commission also considered the results of two neighborhood surveys submitted by residents. In addition, there have been numerous and lengthy written comments received from residents that were presented to and considered by the Planning Commission in formulating its recommendation to the Board. As might be expected, there have been many sometimes conflicting opinions and interests expressed. In general, however, there has been fairly broad public support for a creek

setback requirement; for limiting the bulk and mass of homes through FAR limits; for preserving side yard sunlight and privacy through daylight plane requirements; and for reducing the allowed building height to 28 feet.

On July 25, 2012, the Planning Commission recommended that the Board adopt the proposed amendments, as consistent with the General Plan and other policies and legal requirements. The recommended amendments to the interim S-75 requirements include: (1) definitions of Top of Side Slope and Ordinary High Water Level as necessary pre-requisites for enacting creekside setback requirements; (2) imposing a 15-ft. creek setback requirement; (3) a graduated FAR limit for lots over 10,000 sq. ft.; (4) keeping the 28-ft. building height limit and adding clarifying language regarding the calculation of building height, but deleting the reference to the number of stories allowed; (5) adding clarifying language regarding daylight plane requirements; and (6) reiterating the Board's previously adopted policies regarding setback and parking requirements on Bishop Lane.

County Counsel has reviewed and approved the Ordinances as to form.

This action will contribute to the 2025 Shared Vision outcome of a Livable Community by ensuring that land is used more efficiently and community character is preserved and enhanced.

FISCAL IMPACT:

There is no net County cost. There is a possible, though likely negligible impact in reduced property tax assessments as a result of a cap on size of structures through Floor Area Ratio limitations.