

ORDINANCE NO. 04587
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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**AN URGENCY ORDINANCE AMENDING, ON AN INTERIM BASIS, DIVISION VII,
CHAPTER 2, SECTION 9025 OF THE SAN MATEO COUNTY BUILDING
REGULATIONS TO PROHIBIT THE ISSUANCE OF PERMITS FOR THE
CONSTRUCTION OF NEW OR MAJOR REMODEL SINGLE-FAMILY RESIDENCES
IN THE WEEKEND ACRES AREA OF SAN MATEO COUNTY**

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows:

SECTION 1. Findings and Declarations.

The Board of Supervisors of the County of San Mateo finds and declares as follows:

1. County staff has identified a gap in the R-1/S-7 zoning district regulations that allows for a type and intensity of development in a single-family residential area that is inconsistent with the intent of the General Plan and the existing character of the Weekend Acres neighborhood. This inconsistency threatens the welfare of residents living in the Weekend Acres area by allowing development that is incompatible with the character and public service capacities of this neighborhood.
2. Presently, the S-7 combining district regulations have no limit on the floor area of a single-family residence. Continuing to allow homes that are unlimited in floor area has resulted and will continue to result in homes that are out of scale with the surrounding development in the neighborhood, and that adversely affect a

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neighbor's privacy and available sunlight. The existing zoning regulations allow large homes that conflict with the scale of the community contrary to the General Plan requiring that development in an urban area be designed to contribute to the orderly and harmonious community growth of the locality. Furthermore, the existing zoning regulations allow large homes while the General Plan instructs the County to regulate bulk in zoning districts in order to ensure that the size and scale of development is compatible with parcel size. Amendment to the zoning regulations is therefore necessary to accomplish the policy objectives of the General Plan.

3. In 1988, the Board of Supervisors adopted a resolution (Resolution 50893) requiring a 30' (thirty-foot) front setback on Bishop Lane within Weekend Acres and requiring the provision of four (4) off-street parking spaces for new construction along this roadway, rather than the two (2) spaces that are required in other single-family residential areas. Part of the basis for this resolution was the limited width and roadway capacity constraints of Bishop Lane. Allowing excessively large residences along this Lane will result in more vehicles using this roadway, and could contribute to existing roadway capacity issues on this Lane, resulting in a current and immediate threat to public welfare along Bishop Lane, as well as a potential threat to public safety. The absence of zoning regulation of the floor area of single-family residences in this zoning district and neighborhood therefore presents a current and immediate threat of the construction of homes with dense residential uses that, practically speaking, require the use of on-street

parking to effectively accommodate the residents, blocking ingress and egress and access by emergency vehicles. Therefore, there is a current and immediate threat to the public health, safety and welfare, and the approval of additional building permits for projects that increase house size and residential density would result in a threat to public health, safety and welfare.

4. The S-7 district regulations in Weekend Acres do not currently have a requirement for setbacks or buffer zones from San Francisquito Creek. This potentially allows building construction very near to the Creek, creating negative visual impacts, and potentially flooding and other negative environmental impacts as well. The lack of a setback or buffer requirement from San Francisquito Creek presents a current and immediate threat to public safety and welfare.
5. County staff is currently considering the adoption of a zoning text amendment that would introduce a Floor Area Ratio (FAR), building setback and/or buffer zone requirements from San Francisquito Creek, a reduced maximum building height, a limit on the number of stories, and other possible development standards in the R-1/S-7 district within the Weekend Acres neighborhood.
6. Based on the information available to date, this Board hereby finds that the current regulations in Chapter 2, Section 9025 of the San Mateo County Building Regulations should be amended, on an interim basis, to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County.

7. The Board hereby finds that the following building permit applications are amongst those that constitute uses that may be in conflict with a contemplated zoning proposal that the County is considering or studying or intends to study within a reasonable period of time, and that are subject to this Urgency Ordinance:
- a. 21 Bishop Lane, Permit No.: BLD 2011-00740, APN: 074-303-190,
 - b. 19 Bishop Lane, Permit No.: BLD 2011-01076, APN: 074-303-180, and
 - c. 32 Homer Lane, Permit No.: BLD 2011-00418, APN: 074-303-100.
8. Given the findings and declarations above, this Board hereby finds and declares that there is a current and immediate threat to the public welfare that would result from the issuance of building permits for new residences and major remodels in the Weekend Acres area of San Mateo County. The Board further finds and declares that the current and immediate threat to public welfare will be alleviated if the issuance of such building permits in this area is made subject to interim regulations prohibiting the issuance of building permits for such dwellings in the Weekend Acres area of San Mateo County while the County contemplates new zoning proposals for Weekend Acres.
9. This Board further finds and declares that the adoption of the interim regulations set forth herein is exempt from environmental review under the California Environmental Quality Act under Section 15061(b)(3) of Title 14 of the California Code of Regulations because there is no possibility that the interim regulations, which

impose further restrictions on development, will have the potential for causing a significant effect on the environment.

SECTION 2. For the interim period in which this Ordinance is in effect, Division VII, Chapter 2, Section 9025 of the San Mateo County Building Regulations shall be amended to add Section 9025.3 to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County, which shall read as follows:

9025.3. Prohibition on the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County.

Notwithstanding Section 9025, no permits shall be issued under this Chapter 2 authorizing the issuance of building permits for new dwellings, including but not limited to any additions, alterations, or repairs within any 12-month period which exceeds 50 percent (50%) of the value of the existing building or structure, in the Weekend Acres area of San Mateo County, including, but not limited to, any projects for which a building permit application has been filed as of the date of the adoption of this Ordinance but no building permit has been issued as of the date of the adoption of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect upon its adoption, and shall be of no further force and effect forty-five (45) days from its date of adoption.

Regularly passed and adopted this 4th day of October, 2011.

AYES and in favor of said ordinance:

Supervisors:

DAVE PINE

CAROLE GROOM

DON HORSLEY

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said ordinance:

Supervisors:

NONE

Absent Supervisors:

Carole Groom

*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

R. Romero

*Rebecca Romero, Deputy
Clerk of the Board of Supervisors*

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