

**CITY OF SAN MATEO
DRAFT ORDINANCE**

Adding Section 27.04.356 to Chapter 27.04 of the San Mateo Municipal Code, Amending Sections 27.18.070, 27.18.080, 27.18.100, 27.18.115, Add Maps to Sections 27.18.115 and 27.20.065, and Amending Sections 27.20.065 and 27.32.

WHEREAS, Staff has identified a number of Zoning Code provisions that require clarification or correction; and

WHEREAS, Staff recommends adding a definition of “paving,” specifying landscaping requirements, clarifying maximum floor area requirements, clarifying limits on paving requirements, clarifying uncovered deck requirements, adding three maps, and amending the City’s “emergency shelter” provisions as required by the State;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SAN MATEO ORDAINS AS FOLLOWS:

Section 1. Section 27.04.356 of the San Mateo Municipal Code is added to Chapter 27.04 as follows:

27.04.356 Paving

(a) “Paving” means solid, pavement materials that includes both pervious and non-pervious surfaces. Examples of paving include asphalt, concrete, brick, tile, decomposed granite, permeable concrete, and grass-cells.

(b) “Non-pervious” or “impervious” surface means any surface or material that does not allow the passage of water through the material and into the underlying soil.

(c) “Pervious” surface means any surface or material that allows the passage of water through the material and into the underlying soil.

Section 2. Section 27.18.070 of the San Mateo Municipal Code is amended as follows:

27.18.070 Front Yard

(a) A front yard setback not less than twenty-five (25) feet in an R1-A district and not less than fifteen (15) feet in an R1-B or R1-C district shall be provided.

(b) Garage setback. A front yard setback not less than twenty (20) feet in an R1-B or R1-C district shall be provided for a garage.

(c) Private roads. Buildings erected or enlarged on property fronting upon a private road or easement shall maintain a front setback of at least fifty (50) feet from the centerline of such private road or easement.

(d) Limits on paving. This subsection regulates the amount and location of paving in order to: (1) maintain an aesthetic, landscaped appearance along the street frontages; and (2) maximize the amount of usable open space and landscape areas for single-family properties. The portion of the required front yard

setback that is paved shall be limited to driveways or walkways. The paving (including pervious and non-pervious surfaces), shall be limited to:

(1) that required for necessary driveway, as follows:

(A) Single car garages: 17 feet maximum in width or 40% of the street frontage, whichever is less, beginning at the side property line adjacent to the driveway, and including any contiguous paving (i.e. pedestrian walkways) with the following exception:

(i) For those parcels with single car garages, carports, or open parking spaces setback more than 35 feet from the front property line, no paving in addition to the driveway shall be allowed in the front yard setback.

(B) Two-car garages or larger: 20 feet maximum in width.

(C) For properties located on a cul-de-sac, a driveway at least 10 feet in width shall be permitted when providing access to two or fewer garages, carports, or open parking spaces, and 12 feet in width when providing access to three or more garage, carport, or open parking spaces;

(2) Circular driveways subject to SPAR review; and

(3) Pedestrian walkways which are five (5) feet or less in width.

(e) Landscaping. Other than the paving for driveway and walkway that are permitted in subsection (d) above, the remaining portion of the required front yard setback is intended to: (1) be improved with landscaping and elements for outdoor living, and (2) provide space for the preservation of heritage trees. Parking is prohibited in outdoor living areas and in areas delineated in Section 27.64.023 of the San Mateo Municipal Code.

Section 3. Section 27.18.080 of the San Mateo Municipal Code is amended as follows:

27.18.080 Side Yards

(a) Interior side yards. Interior side yard setback not less than seven (7) feet in an R1-A district and not less than five (5) feet in an R1-B or R1-C district shall be provided.

(b) Street side yards. For corner parcels, a side yard adjacent to the street is a street side yard and a setback is required as follows:

(1) For ground floors: Fifteen percent (15%) of the lot width as measured at building location, not less than 7.5 feet and not to exceed 25 feet in the R1-A district and 15 feet in the R1-B and C districts.

(2) For construction above the first story: Minimum of ten (10) feet.

(3) For garages: Minimum of twenty (20) feet.

(4) Limits on paving. This subsection regulates the amount and location of paving in order to: (1) maintain an aesthetic, landscaped appearance along the street frontages; and (2) maximize the amount of usable open space and landscape areas for single-family properties. The portion of the required street side yard setback that is paved shall be limited to driveways or walkways. The paving (including pervious and non-pervious surfaces), shall be limited to:

(A) that required for necessary driveways, as follows:

(i) Single car garages: 17 feet maximum in width or 40% of the street frontage whichever is less, beginning at the side property line adjacent to the driveway, and including any contiguous paving (i.e. pedestrian walkways) with the following exception:

(I) For those parcels with single car garages, carports, or open parking spaces setback 35 feet or more from the street property line, no paving in addition to the driveway shall be allowed in the side setback.

(ii) Two-car garages or larger: 20 feet maximum in width.

(B) Pedestrian walkways which are five (5) feet or less in width.

(5) Landscaping. Other than the paving for driveway and walkway that are permitted in subsection (4) above, the remaining portion of the required street side yard setback is intended to: (1) be improved with landscaping and elements for outdoor living, and (2) provide space for the preservation of heritage trees. Parking is prohibited in outdoor living areas and in areas delineated in Section 27.64.023 of the San Mateo Municipal Code.

(c) Extensions of walls having non-conforming side yards. When an existing interior side yard of a legally constructed single-family dwelling is less than that required by this Section, a single story, horizontal addition may be constructed maintaining the existing non-conforming setback line, provided that:

(1) The existing side yard setback to be extended is at least three (3) feet from the side property line;

(2) The maximum height of the extended wall is twelve (12) feet to the plateline;

(3) The total length of the extension along a single side wall shall not exceed twenty (20) feet; and

(4) The proposed extension is the subject of Site Plan and Architectural Review (SPAR) conducted by the Zoning Administrator pursuant to the provisions of Section 27.08.030.

(d) Non-residential uses. Newly constructed or expanded structures for non-residential uses allowed under Section 27.18.030 shall provide minimum side yards, both interior and street, of fifteen (15) feet or one-half the building height, whichever is greater.

Section 4. Subsection (a)(9) of Section 27.18.100 of the San Mateo Municipal Code is amended as follows:

(9) Uncovered decks, subject to the following standards:

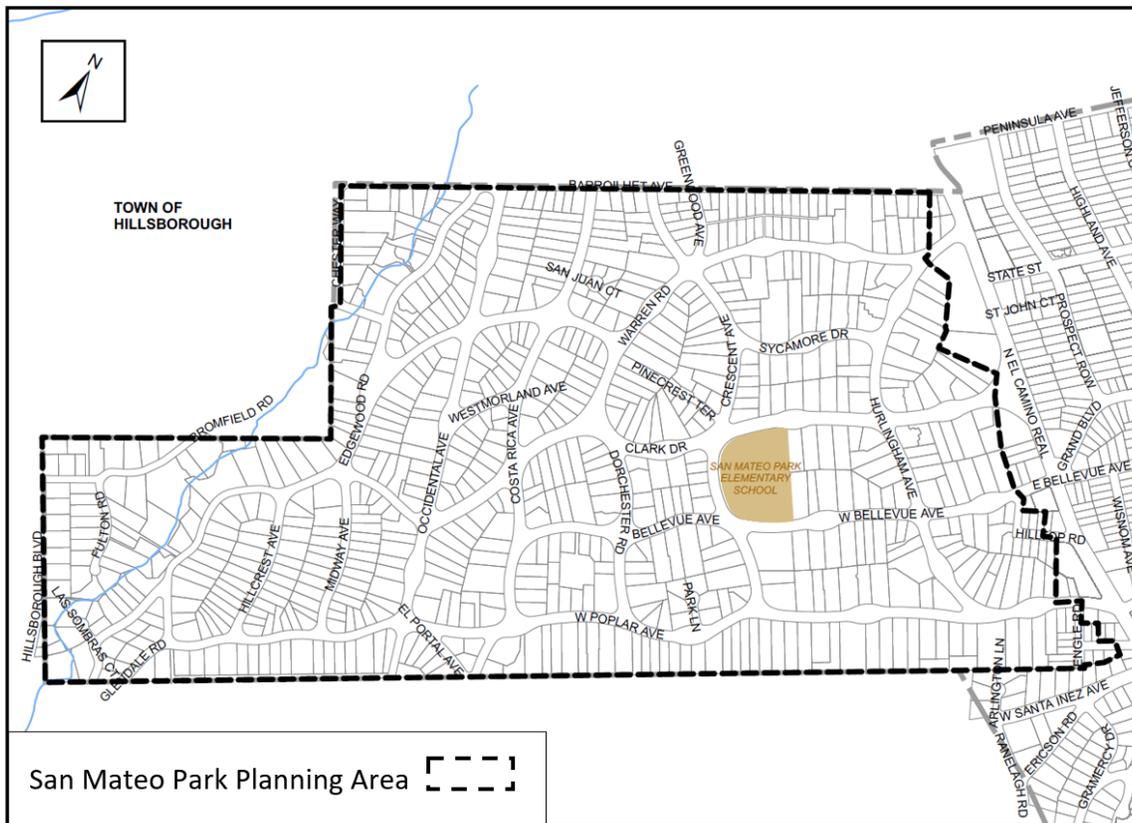
(A) Uncovered decks that are eighteen (18) inches in height, or shorter, are allowed in all required yards; and

(B) Uncovered decks that are taller than eighteen (18) inches and no taller than thirty (30) inches in height are allowed in some portions of required yards provided that they are not located within five (5) feet of property lines.

Section 5. Section 27.18.115 of the San Mateo Municipal Code is amended as follows:

27.18.115 San Mateo Park Planning Area

Notwithstanding other provisions of this chapter, the following shall be applicable to the San Mateo Park planning area as is designated on the map shown below:



(a) For both new residences and additions to existing residences:

(1) Garages shall provide a front yard setback of at least 50 feet when garage doors face the street, or 25 feet if garage doors do not face the street, except in cases where an existing or previously existing garage faced the street with less than a 50 foot front setback and in those cases the new garage may face the street with a front yard setback equal to or greater than that which previously existed and with no increase in the number of garage spaces that face the street.

(2) Sideyard setbacks shall be a minimum of 10 feet for interior lots of widths equal to or greater than 75 feet and 7 feet for interior lots of widths less than 75 feet.

(b) For additions to existing residences:

(1) Street sideyard setbacks shall be equal to 15% of the lot width as measured at the building location but not less than 10 feet nor more than 25 feet.

(c) For new residences constructed on corner lots of widths equal to or greater than 75 feet:

(1) Both street frontages shall be treated as front yards with a minimum setback of 25 feet.

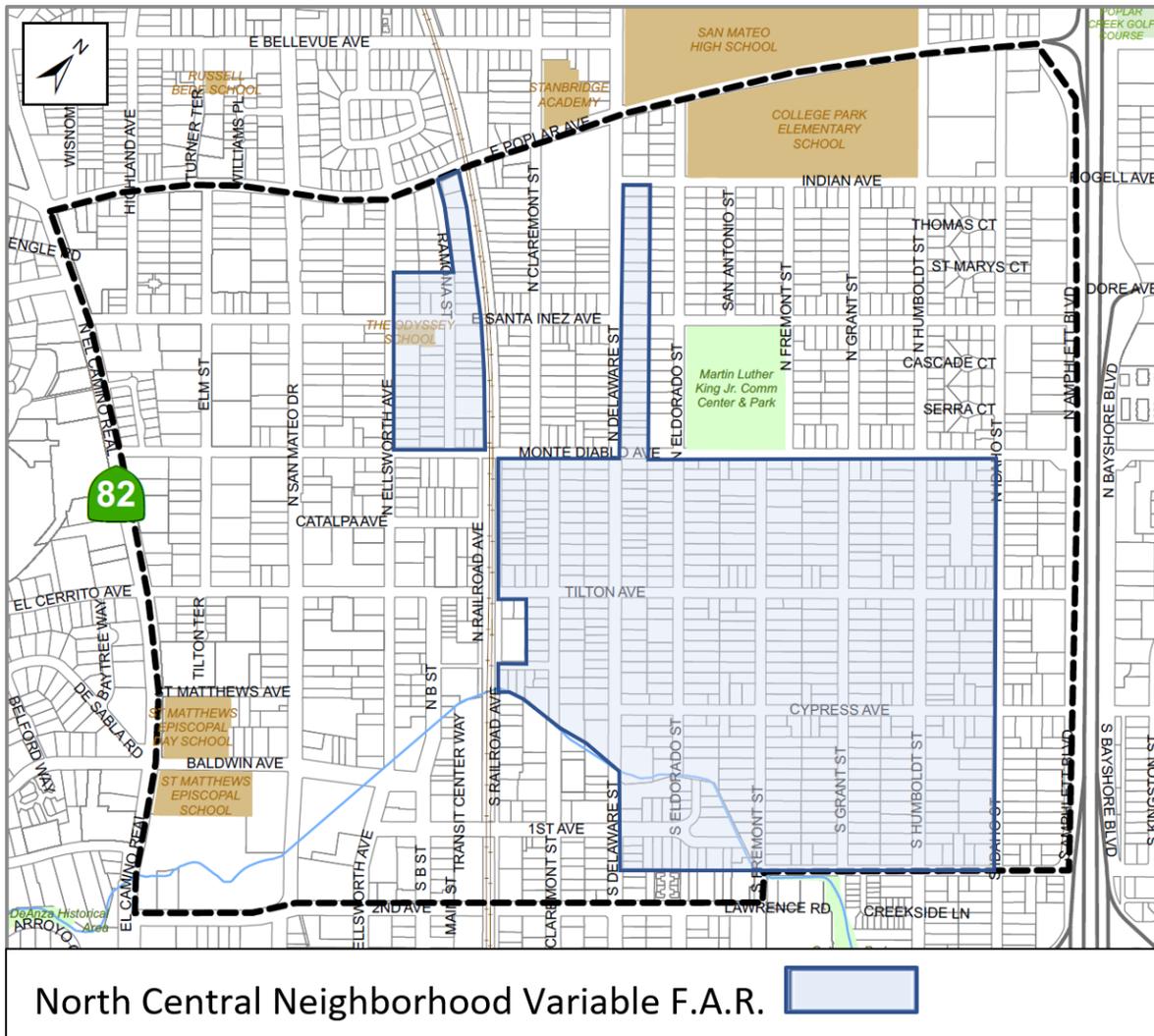
Section 6. Section 27.20.065 of the San Mateo Municipal Code is amended as follows:

27.20.065 Maximum Floor Area Ratio (Central Neighborhood & North Central Neighborhood)

The floor area ratio of buildings and structures on zoning plots in the R2 district located in the Central Neighborhood and North Central Neighborhood shall not exceed 0.5 for parcels up to 7,500 square feet and 0.6 for parcels greater than 7,500 square feet.

"Central Neighborhood" for the purposes of this section shall mean the area that is bounded by Highway 92 to the South, the Railroad to the West, Fifth Avenue to the North, and Highway 101 to the East, as shown on the following map.

"North Central Neighborhood" for the purposes of this section shall mean the area that is bounded by 2nd Avenue to the South, El Camino Real to the West, Poplar Avenue to the North, and Highway 101 to the East, as shown on the following map:



Section 7. Subsection (p) of Section 27.32.010 of the San Mateo Municipal Code is amended as follows:

(p) Emergency Shelters, located more than 300 feet from single family zoning districts;

Section 8. Environmental Determination. This Zoning Code amendment is exempt from CEQA under the “common sense exemption” (CEQA Guidelines Section 15061(b)(3)), because it implements an existing Housing Element policy, provides clarification and improves legibility, and it can be seen with certainty that the changes will not result in direct or indirect physical changes in the environment

Section 9. Severability. In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 10. Publication. This Ordinance shall be published in summary in a newspaper of general circulation, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the City Charter.

Section 11. Legislative History and Effective Date. This ordinance was introduced on Clerk to complete., and adopted on Clerk to complete., and shall be effective 30 days after its adoption.