

From: [Patrice Olds](#)
To: [Joan Diskin](#); [Erin Fellers](#); [Phillip Brennan](#)
Subject: FW: Proposed ordinance modification to ADU structures
Date: Monday, March 15, 2021 6:45:54 PM
Attachments: [image001.png](#)
[image003.png](#)

Patrice M. Olds, MMC

City Clerk | City of San Mateo

330 W. 20th Ave., San Mateo, CA 94403

650-522-7042 | polds@cityofsanmateo.org

From: Eric Holm <[REDACTED]>

Sent: Monday, March 15, 2021 6:32 PM

To: Amourence Lee <alee@cityofsanmateo.org>; Joe Goethals <jgoethals@cityofsanmateo.org>; Diane Papan <dpapan@cityofsanmateo.org>; Eric Rodriguez <erodriguez@cityofsanmateo.org>; Rick Bonilla <RBonilla@cityofsanmateo.org>; Patrice Olds <polds@cityofsanmateo.org>

Subject: Proposed ordinance modification to ADU structures

Dear Council Members,

I am sorry for such late notice on this message, and I intend to make these remarks tonight at the City Council Meeting.

I'm writing you to discuss the current ADU guidelines and ordinance realignment with the State guidelines mandated in (SB 13, AB 68, AB 881).

Per tonight's agenda, the Council will review the staff recommended and Planning Commission approved modification to Municipal Code Chapter 27.19 *Accessory Dwelling Units and Junior Accessory Dwelling Unit- Residential Zones* to align with the revised state legislation.

I would like you to reconsider two very important changes that staff proposes in this amendment that deviate from the intent of the State law as it relates to review and approval of ADU structures. I am an architect who lives in San Mateo and wishes to see greater smart density and infill housing to support the ever-challenging housing needs of the city and the region. I work in Schools and do not practice residential architecture but am interested in it from a standpoint of urban infill and my own explorations and experiences.

The first area of concern is the provisions in the ordinance regarding design guidelines requiring in Section 27.19.040 (i) (1) (B and C) buildings to, "be of the same architectural style as the primary structure" and "be constructed of the similar exterior materials, finishes, and family of colors...."

This provision imposes a discretionary, stylistic overlay which would be in violation of the original AB 687 requirements. AB 68 amended government code section 65852.2 (a) (3), "A permit application to create an accessory dwelling unit or a junior accessory dwelling unit shall be considered ministerially without discretionary review or a hearing."

A public comment included in the Planning Commission review cited a homeowner who wanted to build an ADU, live in it while remodeling their own home and updating it, and then renting out the ADU. The homeowner specifically was challenged by the aesthetic provisions that limited them to matching an outdated ranch house that the whole intent of their development was to update and modernize the existing structure. The onerous aesthetic provisions would not allow them to consider

the design of their future house and both limited and increased the cost of their proposed project. Additionally, the intent of the State provisions and the modifications to the ADU rules are meant to streamline the development of ADU projects. One significant way to both streamline the cost, time, hassle, and environmental impacts is to build a prefab unit. By design, most prefab ADU models are quite modern in style and will not match our significant bungalow, ranch, or Spanish housing stock.

In a recent SM Daily Journal article published February 25, 2021, they highlighted ADU installation in San Mateo. They specifically described a prefab installation from a Redwood City prefab company, Abodu, as a prime example of the ADU trend. Mayor Rodriguez was quoted in support of ADUs yet the same prefabricated model that was described in depth in the article would no longer be viable in a major number of residential properties in the city based on the proposed modifications. As such, I strongly urge the City Council to strike such requirements from the ordinance.

The second area of concern in the proposed ordinance is the modification of the definition of building height only as it pertains to detached ADU structures in the City. San Mateo Municipal Code Section 27.04.080 defines building height as the “vertical distance, measured from existing grade at any point along the perimeter of a building, to the highest plate line of the structure directly above that point. The plate line and the ridge line are two different measurements and modifying the definition of height only as it pertains to a detached ADU is contrary to the definition as defined in the City’s zoning ordinance.

The provision to limit the height to 16 ft to the ridge height instead of the plate height is a direct attempt to limit the development of ADU structures that are 2 story or built over garages. It was the explicit desire of the planning commission and planning staff to limit such development which is in direct opposition of the government code to apply local ordinances to limit residential growth. From the Planning Commission meeting to review the ordinance, Commissioner Ebnetter strongly opposed such actions and specifically opposed the distinction that an attached ADU can maintain the same building height as the primary residence but a detached ADU was limited to a new definition of building height. He expressed apprehension in singling out specific structures and not giving them the same provisions as other structures.

There are a number of reasons this revised definition of building height should not be entertained at this time. The City’s current ADU practice is to recognize a maximum 16’ building height at the plate line per the existing city definition of height and then allow a higher ridge height. This allows for a modest two-story structure that carves a second story out of the roof attic space. The range of possibilities on a small lot are significantly increased if you maintain the current practice of a 16’ plate height and do not change the definition for this one building type.

Additionally, the city recently adopted code changes to an electric code for residential buildings. This was a direct response to the changing climate crisis we are experiencing. One component of the climate crisis is the persistent droughts that California experiences. Just a few years ago, the drought was all anyone talked about and the community learned a great deal about the importance of pervious landscape to allow percolation to recharge underground aquifers. By limiting the construction of ADUs to single story structures, the city is encouraging the removal of permeable open space on residential lots where people must sprawl their ADU instead of making a compact two-story plan.

While the City has been a champion of transit-oriented development, our ability to rely on transit is still several years away and consequentially parking will consider to be a significant concern with any growth in density. The ability to construct an ADU over a garage solves some of those concerns. By limiting the height to only allow single story structures, the City will invertedly promote the removal of garages and off-street parking, exacerbating the on-street parking demands and conflicts.

Lastly, the reduced building height pushes more site development that makes it harder to maintain or incorporate trees in our built environment. While we must solve our housing challenges, the more we develop properties horizontally, the less room there is for trees and other vegetation in our community. The City’s commitment and recognition of the benefit of trees to our overall well-being is expressly contradicted by the notion of limiting modest two-story ADU development.

Again, I feel this modification to the existing ordinance and the existing City interpretation to a more strict and anti-development perspective defies AB 68 amended government code section 65852.2 (a) (2) which states, “The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.”

The Planning Commission and the City Planning Staff expressly identified the modification to the height definition as an attempt to limit the development of the two-story structures under the current guidelines. A major reason cited by Staff for the redefinition of building height as it pertains only to detached ADUs was the impact on neighboring parcels as it pertains to view corridors and daylight plane. The current R-1 requirements of the daylight plane start at 12' at the side property line and rise at 45 degrees from that point. With a 4' setback, the height at the setback is 16' to the plate line. At a 16' plate line, the building roof could still rise at 45 degrees and maintain the daylight plane required in the code. There are several additional measures the city could do to maintain daylight provisions for anything over 16' by requiring anything over 16' to follow the City's adopted daylight plane requirements. The city does not have to start with the most restrictive measures of changing the definition and past practice of building height to circumvent the state laws.

The nature of the building code acknowledging a 16' plate height as acceptable, means we should support the same definition for ADU structures if we are to promote residential development and increase our housing stock in our community. The nature of the City's modifications encourages development of massive, singular structures by allowing a detached ADU to match a home's existing heights but does not allow simple ADU over garage structures which would be significantly smaller.

I strongly urge you to modify the proposed ordinance so the City does not change the definitions of the building height as it pertains to a detached ADU and remove the aesthetic requirements that lead to subjective review. In the City's own February 2, 2021 Grand Jury response to the report on Secondary Units in Neighborhoods, as part of the response to finding 5, the City identified a, "lack of homeowner awareness of both financing and construction options" as an obstacle to secondary unit construction. In complying with both the requirements of the changes to State law and the intent, the City should not be looking for ways to constrict building of ADU structures for Homeowners.

Thank you,

Eric Holm

Parks and Recreation Commissioner (views expressed herein are my own and do not reflect the Commission)

From: [Patrice Olds](#)
To: [Phillip Brennan](#); [Joan Diskin](#); [Erin Fellers](#)
Subject: FW: ADUs
Date: Monday, March 15, 2021 6:46:09 PM
Attachments: [image001.png](#)
[image003.png](#)

Patrice M. Olds, MMC

City Clerk | City of San Mateo

330 W. 20th Ave., San Mateo, CA 94403

650-522-7042 | polds@cityofsanmateo.org

From: Maxine Turner <[REDACTED]>

Sent: Monday, March 15, 2021 5:23 PM

To: Diane Papan <[REDACTED]>; Eric Rodriguez <[REDACTED]>; Joe Goethals <jgoethals@cityofsanmateo.org>; Rick Bonilla <[REDACTED]>; Amourance Lee <alee@cityofsanmateo.org>

Cc: Patrice Olds <polds@cityofsanmateo.org>; Drew Corbett <dcorbett@cityofsanmateo.org>

Subject: ADUs

I support the CC moving forward with adopting the state ADU guidelines while a thorough community education and outreach effort can be done before any changes are made. This state mandate has significant pros and cons and is complicated to understand. I support ADUs as an opportunity to increase housing within existing residential areas, hopefully with a focus on making housing more affordable. But the devil will be in the details.

The unintended consequences and specific details must be carefully thought out so they do not destroy the quality of life that residents have worked so hard to provide for their families. Height limits, lot size, parking and on-site owner occupancy requirements are all key variables that should be evaluated before a final ADU ordinance is adopted. Data should also identify lots that are owner-occupied, or owned by international or national investors.

Thank you for considering my comments and for taking the time to provide significant public input before finalizing this significant land use change.

Respectfully,
Maxine Turner

From: [Patrice Olds](#)
To: [Phillip Brennan](#); [Joan Diskin](#); [Erin Fellers](#)
Subject: FW: 2 story ADU
Date: Monday, March 15, 2021 6:46:52 PM

Patrice M. Olds, MMC
City Clerk | City of San Mateo
330 W. 20th Ave., San Mateo, CA 94403
650-522-7042 | polds@cityofsanmateo.org

-----Original Message-----

From: [REDACTED]
Sent: Monday, March 15, 2021 5:39 PM
To: City Council (San Mateo) <CityCouncil@cityofsanmateo.org>
Subject: 2 story ADU

Hello,

I have recently lost my husband of 47 years and have been seriously considering converting my two car garage at the back of my lot into a two-story granny flat. It was a huge disappointment to learn that the city of San Mateo wants to limit detached ADU's to one story. The corner where my present two car garage is located, there are mature trees in my back neighbors yards. The room upstairs would be a very pleasant retreat I could see the church steeple and cross from the window as well as hear the birds. Also I could accommodate more much needed storage. I would lose more of my green garden space and fruit trees with these height limits. I'm concerned about the huge waste of my hard scape and Cedar block raised beds. Having to remove or modify them adds a large expense. I have four two-story houses across the street from me they are 6 feet to 4 1/2 feet apart from each other. Why have you considered changing the standards in my neighborhood!? My daughter's family will be moving into the main house which will free up their present home to help ease the housing crisis. My peace of mind and the security of having my family close by means the world to me please allow my two-story ADU's.

Thanks for your consideration,
Barbara Bartels , [REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Phillip Brennan](#)
Subject: Fwd: ADU's
Date: Thursday, March 18, 2021 5:57:07 PM

-----Original Message-----

From: [REDACTED]
To: CityCouncil@cityofsanmateo.org <CityCouncil@cityofsanmateo.org>
Sent: Thu, Mar 18, 2021 5:55 pm
Subject: ADU's

Dear Council members,

I am seriously concerned about the development of ADU's in San Mateo. I know this is a state mandate, but I believe we should push back on this. It's going to **turn our nice single family neighborhoods into undesirable ones** and significantly **effect property values negatively**.

I live in a nice single family house area in San Mateo. I bought into this area because of that and now it's about to change for the worse. I did not buy into a rental zone.. Two ADU's are being constructed close to me.. Why is this happening?? These units can be two stories and more than one ADU per property. So, what was a single family home now can turn into a duplex or triplex with no on site parking for inhabitants and guests. My neighborhood is being ruined and along with it property values. The State is mandating this along with dense housing development with a one size fits all approach. These things should be left to local communities to decide who know best.

The Pandemic is seriously changing the housing situation for the better as people leave urban areas and the state, companies move out, people continue to work at home, office buildings get converted to residential and rents dropping by 15-25% with state rent control keeping them low. There is no real need for ADU's.

Thanks for taking the time to listen.

Gary Isoardi

From: [REDACTED]
To: [Phillip Brennan](#)
Subject: Fwd: ADU's
Date: Thursday, March 18, 2021 11:22:01 AM

-----Original Message-----

From: [REDACTED]
To: erodriguez@cityofsanmateo.org <erodriguez@cityofsanmateo.org>
Sent: Thu, Mar 18, 2021 11:19 am
Subject: ADU's

Hi Eric...Hope you are doing well. I am seriously concerned about the development of ADU's. I know this is a state mandate, but I believe we should push back on this. It's going to turn single family neighborhoods into undesirable ones and also effect property values.

I live in a nice single family house area in San Mateo. I bought into this area because of that and now it's about to change for the worse. Two ADU's are being constructed close to me.. Why is this happening?? These units can be two stories and more than one ADU per property. So what was a single family home turns into a duplex or triplex with no parking included. My neighborhood is being ruined and along with it property values. The State is mandating this as well as other things with a one size fits all approach. These things should be left to local communities to decide who know best.

The Pandemic is seriously changing the housing situation for the better as people leave urban areas and the state, companies move out, people continue to work at home, office buildings get converted to residential and rents dropping by 20-30% with state rent control keeping them low. State ADU mandates need to go away.

Thanks for taking the time to listen.

Gary Isoardi

From: [REDACTED]
To: [Phillip Brennan](#)
Subject: Fwd: THE DEATH SPIRAL FOR SINGLE FAMILY NEIGHBORHOODS (R1)
Date: Monday, March 29, 2021 7:55:31 AM

-----Original Message-----

From: [REDACTED]
To: CityCouncil@cityofsanmateo.org <CityCouncil@cityofsanmateo.org>
Sent: Sat, Mar 27, 2021 10:26 am
Subject: THE DEATH SPIRAL FOR SINGLE FAMILY NEIGHBORHOODS (R1)

Dear Council members,

I am seriously concerned about the State mandated development of ADU's (Accessory Dwelling Units) popping up in San Mateo and other cities, the unrealistic State quotas for housing development and the proposed State Bills SB9 and SB10 and their negative impact on single family zoned neighborhoods (R1).

ADU's can be two stories (above or replacing a garage or in a backyard or front yard), and can be up to 1,200 s.f. with no required on-site parking like other rental properties. What was a single family home can now turn into a duplex or triplex to rent out.

As you are well aware, the State currently has a quota for dense housing development, for each city, with penalties, if not adhered to. Two new proposed State Bills, SB9 and SB10, take this a step further with a one size fits all approach. For example, SB10 allows 10 unit market rate apartments almost anywhere. regardless of zoning. It's the kiss of death for single family neighborhoods and a developers golden goose.

However, the Pandemic is seriously changing the housing situation for the better and for a long time as people leave urban areas and the state, and some companies move out. A large number of people will continue to work at home, saving companies money and productivity. Some office buildings will be converted to residential. Rents have dropped significantly and the state already has rent control will keep them low. There is no real need for ADU's and not as many dense multiunit developments

Some State legislators need to get their heads out of the sand and in tune with what's changing around them. The San Mateo City Council needs to step out of character and challenge the State on this to protect our quality of life, single family neighborhoods and property values that all of us living in these neighborhoods have worked hard to achieve for their families. Also, to take back control of our city development needs who knows best.

Thanks for taking the time to listen

Gary Isoardi