

CITY OF SAN MATEO  
Planning Commission  
August 24, 2021  
7:00 PM



**COMMISSION MEMBERS**  
Ramiro Maldonado, Chair  
Margaret Williams, Vice Chair  
John Ebnetter  
Adam Nugent  
Seema Patel

## AGENDA ITEM

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**3. Recommendation – Draft Accessory Dwelling Unit and Junior Accessory Dwelling Unit Ordinance**

Review an Ordinance to amend San Mateo Municipal Code Chapter 27.19 – “Accessory Dwelling Unit and Junior Accessory Dwelling Unit” in accordance with current state law and make a recommendation to the City Council.



# CITY OF SAN MATEO

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## Agenda Report

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Agenda Number: 9

Section Name: {{section.name}}

File ID: {{item.tracking\_number}}

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**TO:** Planning Commission  
**FROM:** Christina Horrisberger  
**PREPARED BY:** Community Development Department  
**MEETING DATE:** August 24, 2021

**SUBJECT:**

Recommendation – Draft Accessory Dwelling Unit and Junior Accessory Dwelling Unit Ordinance

**RECOMMENDATION:**

Review an Ordinance to amend San Mateo Municipal Code Chapter 27.19 – “Accessory Dwelling Unit and Junior Accessory Dwelling Unit” in accordance with current state law and make a recommendation to the City Council.

**BACKGROUND:**

On January 1, 2020, updated state law related to the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) went into effect. On March 2, 2020, staff presented the City Council with an overview of the changes to ADU and JADU regulations and how it affected the City’s local rules and procedures. The Council provided feedback on the changes and directed staff to conduct community outreach to solicit feedback to better understand how residents want to see future ADU and JADU development. However, the COVID-19 pandemic disrupted planned outreach efforts and the ordinance update process was put on hold. In the interim, as required by state law, staff has been implementing the state’s ADU and JADU regulations while maintaining existing local ordinance provisions which do not conflict with state law.

On February 9, 2021, the Planning Commission reviewed an interim draft Ordinance update to the City’s ADU and JADU Regulations (SMMC Chapter 27.19) intended to align with state law in advance of a second, more comprehensive ordinance update reflective of community input. The Planning Commission recommended the draft Ordinance to City Council by a vote of 4-1. On March 15, 2021, the City Council reviewed the introduction of the interim draft Ordinance and it passed to a second reading by a vote of 4-1. The draft Ordinance included a maximum building height for a detached ADU as 16 feet to top plateline and 24 feet to roof peak from existing grade. However, on April 5, 2021, the Council declined to adopt the Ordinance due to concerns that the height limit might be too restrictive, and that additional community input was needed. Council directed staff to conduct outreach as expeditiously as possible to engage the community on those areas of ADU/JADU requirements that remain under local control, including ADU building height, and to bring back a revised draft ordinance informed by public input.

Outreach consisted of two virtual ADU workshops at the end of June, and an online community survey which ran from mid-July to late August. The specifics of the community workshops and survey are discussed in greater detail in the corresponding sections of this report. The community feedback collected during these outreach efforts were used to inform the proposed Ordinance that updates San Mateo Municipal Code Chapter 27.19 – “Accessory Dwelling Units and Junior Accessory Dwelling Units,” as discussed in this report and included as Attachment 1. A comprehensive summary of the changes to State’s ADU and JADU laws, provided by the Department of Housing and Community Development (HCD), is included as Attachment 2.

## DISCUSSION:

### Community Workshops

Staff held virtual community workshops on Thursday, June 24, 2021 (evening) and Saturday June 26, 2021 (morning); with a total of 65 attendees participating in both workshops. The purpose of the workshops was to provide an overview of the changes to state ADU law to the community, outline the areas of local discretion and potential ordinance options, and solicit community feedback on each subject area by asking nine targeted questions at the end of each presentation. The questions were focused on ADU and JADU development standards, including building height, architecture and design, size standards, and parking requirements. The results are referenced in the respective subsections of this report. A summary of the community workshop events, including the discussion, poll questions, and aggregated poll data are included as Attachment 3.

### Online Community Survey

In addition to the community workshops, staff posted an online survey which ran from July 15, to August 22, 2021, and posed the same questions asked during the workshops. An email notification providing a direct link to the survey was sent to more than 2,850 individual email addresses, including the City's "900 List," which contains individuals and organizations interested in citywide planning projects, interested parties list, and both the Planning Commission's and City Council's "Notify Me" lists, and was also included in the Planning Division's eNewsletter update. Additionally, notification of the survey was updated on the City's social media channels.

The final results of the survey will not be available at the time of publishing this report, however, staff will present the final survey results to the Planning Commission during its August 24, 2021, regular meeting. As of August 18, the survey has been accessed 425 times, of which 213 visitors have completed the survey. It should be noted that 150 of 213 completed survey responses were submitted during the first week the survey was released. Preliminary results as of August 18, are discussed in the subsections below.

### Proposed Code Amendments

#### *SMMC 27.19 – Accessory Dwelling Units and Junior Accessory Dwelling Units*

The State's updated ADU and JADU laws expressly limit the ability of local jurisdictions to regulate the creation of ADUs and JADUs. However, local agencies are still allowed to impose certain development and design standards, including but not limited to, parking, building height, setback, landscape, architectural review, and maximum unit size standards, provided the requirements do not conflict with the minimum provisions established under the law (Gov. Code § 65852.2 and § 65852.22).

The proposed amendments to SMMC 27.19 incorporate the comprehensive changes to state ADU law *as-is* and the proposed draft Ordinance remains largely unchanged from the interim draft that the Planning Commission reviewed and recommended to the City Council on February 9, 2021. However, the following development standards discussed below have been further refined and simplified after obtaining community feedback and considering ADU standards of other local jurisdictions.

#### *Exempted Floor Area*

State law permits a property owner "by-right," the ability to construct an ADU (attached or detached) that is at least 800 square feet (sq. ft.) in size and at least 16 feet in height, with side and rear setbacks of four feet. Such ADUs can be constructed regardless of size-related development standards such as those limiting square footage based on the primary dwelling size, lot coverage, floor area ratio, open space, or minimum lot size that would otherwise limit or preclude its construction. This provision effectively results in up to 800 sq. ft. of exempted floor area that would not be included when calculating maximum floor area for a given parcel. As such, the proposed Ordinance provides that the first 800 sq. ft. of any new ADU is exempt from the maximum allowable floor area. Any floor area over 800 sq. ft. is counted toward a parcel's maximum floor area as specified by the underlying zoning district.

### *Maximum Unit Sizes*

The City is currently defaulting to the maximum ADU sizes (i.e., floor area) specified by the state legislation for jurisdictions that do not have compliant local ordinance. The state's maximum ADU sizes are 1,200 sq. ft. for a detached ADU and up to 50 percent of the floor area of the primary dwelling for an attached ADUs. Local jurisdictions may establish maximum ADU sizes by ordinance if that maximum allows an attached or detached ADU to be at least 850 sq. ft. for a studio or one-bedroom unit and at least 1,000 sq. ft. for an ADU of two bedrooms or more.

To help simplify ADU development standards for developers and property owners, staff is proposing a maximum size for an attached ADU of up to 1,200 sq. ft. regardless of the number of bedrooms provided there is adequate remaining floor area allowance on the lot. With this approach, an ADU's bedroom count or proportionality to the primary residence would not be a factor in determining its size potential. This also allows for future interior modifications which could add or remove bedrooms. In scenarios when the floor area allowance of a lot has been fully utilized, the state exempted 800 sq. ft. for a new attached ADU would be the maximum size permitted. Results from the ADU workshops indicated the favored maximum size option for attached ADUs selected by attendees was "Up to 50% the size of the primary home, or up to 1,200 sq. ft. maximum." Preliminary results from the online community survey also indicate the same preference from respondents.

Staff is proposing a tiered approach for establishing the maximum unit size for detached ADUs. Lot sizes in the City's residential zoned districts in San Mateo can vary dramatically. Of the 26,381 lots located in our R1-R5 and R4D-R6D zoning districts where ADU development is most likely to occur, approximately 71 percent of the lots are less than 10,000 sq. ft. in area; approximately 8 percent are between 10,000-19,999 sq. ft. in area; and approximately 21 percent are 20,000 sq. ft. or greater in lot area. As such, the proposed tiered approach would allow lots less than 10,000 sq. ft. in area to be developed with a detached ADU up to 1,200 sq. ft. in size, and 1,500 sq. ft. for lots 10,000 sq. ft. or greater in area. The tiered approach was the preferred answer choice selected by the ADU workshop attendees, and preliminary results from the online community survey also strongly indicate a preference for the tiered approach.

### *JADU + ADU Limiting Conditions*

Gov. Code Section 65852.2 (e)(B) specifies that one detached, new construction ADU can be combined with a JADU on the same lot with an existing or proposed single-family residence. The aforementioned state ordinance includes a provision that allows a local jurisdiction to impose the following limiting conditions to the detached ADU:

- (i) *A total floor area limitation of not more than 800 square feet*
- (ii) *A height limitation of 16 feet*

Staff recommends not imposing either of the limiting conditions on the detached ADU. Condition (i) would be difficult to apply in cases where an ADU over 800 sq. ft. is constructed first, then a JADU is created later. This could also create an inequity amongst property owners with similar property conditions. Secondly, the height maximum for detached ADUs proposed in the draft Ordinance would establish the height limitation and provide consistency in the application of our municipal code and remove confusing nuance for the public. As such, imposing condition (ii) would not be applicable. Results from the ADU workshops indicated a nearly even split between those wanting to impose both conditions (i and ii), and those not wanting to impose either of the conditions. Preliminary results from the online community survey also reflect the same split among respondents.

### *Architectural Standards and Objective Design Requirements*

Local jurisdictions can apply architectural design standards on ADUs provided those requirements can be objectively imposed during building permit review. Examples of objective architectural design standards include requiring an ADU to match the roof form, exterior materials and colors, or architectural style (e.g., modern, ranch, Craftsman, etc.) of the primary home.

Staff is proposing that no architectural compatibility requirement is imposed on detached ADUs to allow for greater design flexibility and range of alternatives for property owners, including the use of prefabricated, modular, or template design ADUs. However, detached ADUs that are attached to or located over an existing accessory structure would be required to

share a uniform architectural style and share exterior materials, roof form, and colors with the structure to which it is connected. Poll results from the ADU workshops indicated that most respondents felt detached ADUs should not be required to match the design of the primary home. Preliminary results from the online community survey also strongly indicate this preference.

Two-story detached ADUs generally have the most potential for creating visual and privacy impacts on adjacent properties as they can be constructed within four feet of a side and rear property line. As such, the proposed Ordinance includes the following objective design requirements for two-story detached ADUs to help mitigate potential privacy impacts on adjacent properties:

- Second story windowsill heights shall be no less than 5 feet in height when directly facing a neighboring property and located within 4 feet of a side property line or within 15 feet of a rear property line. As an alternative, permanently obscured glazing could be required for windowsills heights less than 5 feet and windows directly facing a side or rear property line
- Open second-story stair landings facing the rear or side property lines nearest the ADU are not be permitted, except as the minimum area required to allow ingress and egress as established by the California Building Code
- Second-story decks or balconies not associated with exiting requirements are be prohibited

Workshop results indicated strong interest from respondents for imposing objective design requirements on two-story ADUs to help address privacy concerns. The least selected answer choice was to not impose objective design standards. Preliminary results from the online community survey also strongly indicate a desire to impose objective design requirements from respondents.

#### *Off-Street Parking*

The City's existing ordinance is consistent with state law which specifies required off-street parking associated with ADU development shall not exceed one parking space per ADU or per bedroom, whichever is less. Recent state legislation has trended towards not making parking an impediment to ADU development. In addition to providing several ADU parking exemptions (most lots in the City qualify), the new state legislation now eliminates replacement parking when a garage or covered parking structure is demolished in conjunction with the construction of an ADU, or conversion of that parking structure into an ADU as was previously required.

Even though most new ADUs would likely not be required to provide off-street parking, staff recognizes the increase of new ADUs will likely have a corresponding impact to on-street parking demand on residential streets. Further, many ADU applicants have expressed the desire to retain or create on-site replacement parking. Workshop and preliminary survey results indicated a strong interest from respondents for the City to consider additional parking allowances to accommodate off-street parking needs associated with ADU development. As such, the proposed Ordinance includes the following allowances for lots being developed with either an ADU or JADU, regardless of whether the property qualifies for a state parking exemption:

- Up to one new parking space per ADU or JADU can be voluntarily provided on a lot;
- Allows parking in required setback areas, including paved front, side, street-side, and rear yard setbacks;
- An existing driveway can be maintained and/or expanded to provide a parking pad when a garage is converted;
- Lots with existing driveway access to the rear yard may provide a parking pad in rear or side yard;
- Maximum driveway width for single-car garages can be increased to 20 feet; and
- Tandem parking allowed

#### *Junior Accessory Dwelling Units*

Consistent with the changes to state law, SMMC 27.04.165 (c) "Junior accessory dwelling unit" definition has been amended to indicate that JADUs can now be constructed within the walls of an existing or proposed single-family residence and no longer require the inclusion of an existing bedroom. It should be noted that attached garages are considered part of the residence and can therefore be converted into a JADU.

### *Building Height*

Local jurisdictions may establish their own maximum building height for ADUs so long as it does not preclude an ADU of at least 16 feet in height. The state legislation does not define how building height is to be measured. However, the City's municipal code does define *building height* as the vertical distance measured from existing grade to the top plateline, rather than to the tallest roof peak (or ridge) as many jurisdictions do. The plate can be roughly equated to the top of the uppermost framing member of the structure, just below the roof support structures.

The proposed interim height maximum for detached ADUs, which was last reviewed by the City Council on April 5, 2021, was 16 feet to top plateline and 24 feet to roof peak. However, as noted above, there was interest in taking a closer look at this height limit and engaging the community to gauge if this is appropriate. Both the workshop poll and online community survey presented three maximum height alternatives, each providing an 8-foot difference between its established maximum plateline height and roof peak height for added design flexibility:

- 16 feet to top plateline/24 feet to roof peak; meets the minimum state height requirement while still allowing for some two-story design options
- 20 feet to top plateline/28 feet to roof peak; middle height range that allows increased flexibility for two-story designs
- 24 feet to top plateline/32 feet to roof peak; same maximum building height permitted in our R1 and R2 zoning districts

Poll results from the ADU workshops indicated a strong preference among respondents to limit building height for detached ADUs to 16 feet to top plateline/24 feet to roof peak as previously proposed by staff. However, preliminary results from the online community survey indicate a closer split among respondents with those favoring the higher height limit (24 feet to top plateline/32 feet to roof peak) slightly outnumbering those favoring the lower end of the proposed height ranges (16 feet to top plateline/24 feet to roof peak). Given the inconclusive results from the community outreach efforts, staff proposes defaulting to the building height maximum of the R1 and R2 zoning districts (24 feet to top plateline/32 feet to roof peak), which is currently allowed.

It should be noted that 15 of the 20 incorporated cities and towns in San Mateo County establish maximum building height for detached ADUs at 20 feet or less. Of these jurisdictions, some simply defaulted to the state mandated requirement of 16 feet, while others allow for some height increases beyond 20 feet to accommodate pitched roofs or certain development scenarios (e.g., ADU meets the underlying zoning districts setback requirements). If the Commission wishes to explore a lower height limit in order to offset any potential visual and privacy impacts of two-story ADUs on neighboring properties, a height limit of 20 feet to top plateline and 28 feet to roof peak could be considered, as it meets the state requirement and also has a basis in what other nearby cities in the county have done.

Attached ADUs would be permitted to be at least 16 feet in height (to top plateline), and up to a maximum of 32 feet to roof peak as is permitted for homes in the R1 and R2 zoning districts. This would be applicable for all attached ADUs in any zoning district in which they are permitted.

### *ADUs in the Required Front Yard Setback Area*

State law specifies that new ADU construction provide for four-foot side and rear setbacks and allows local agencies to impose other setback standards. The City's existing regulations do not allow ADUs in front of primary dwelling, whether inside or outside of the required front yard setback area. This conflicts with the state's requirement to allow by-right ADUs subject to limited setback requirements, to be located in front of the primary dwelling, including in the front yard without limitation. However, required front yard setbacks, typically the first 15-25 feet from the front property line, serves many purposes including maintaining adequate sight distances around structures located near driveways and sidewalks to ensure vehicle and pedestrian safety. As such, staff recommends retaining the existing limitation on front yard setbacks for now and provided draft findings outlining health and safety concerns per the requirements of Gov. Code Section 65852.2 (h)(2)(B)(ii). The issue was discussed with the Planning Commission at its February 9, meeting and was supported by a

majority of the commissioners. As such, the draft findings remain in the currently proposed ordinance attached to this report.

*SMMC 27.19.020 and 27.19.080 Removed*

SMMC currently includes two Sections 27.19.020 and 27.19.080 which prohibit properties with either an approved ADU or JADU from being subdivided at the time the ADU or JADU is approved or thereafter. These sections have been removed in the updated draft Ordinance as properties can be subdivided so long as they meet the requirements of the subdivision ordinance.

**ENVIRONMENTAL DETERMINATION:**

The proposed ordinance is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code and Section 15282(h) of the CEQA Guidelines because it is an accessory dwelling unit ordinance that is implementing the provisions of Government Code § 65852.2 and 65852.22.

**PUBLIC COMMENTS:**

Eight (8) public comments have been formally submitted since the March 15, 2021, City Council meeting, which has been included as Attachment 4.

**NOTICE PROVIDED**

All meeting noticing requirements were met.

**ATTACHMENTS**

Att 1 – Proposed Ordinance

Att 2 – Summary of State ADU/JADU Legislation Effective January 1, 2020

Att 3 – ADU Community Workshop Poll Questions & Results

Att 4 – Public Comments

Att 5 - ADU Survey Results Aug 23, 2021 (graphs + other question results)

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**CITY OF SAN MATEO  
DRAFT ORDINANCE**

**Amend Section 27.04.165 “Dwelling” to add a definition for “Junior Accessory Dwelling Unit,” and Amend Various Sections of Chapter 27.19, “Accessory Dwelling Unit and Junior Accessory Dwelling Unit – Residential Zones,” of the San Mateo Municipal Code.**

WHEREAS, an existing ordinance addressing accessory dwelling units and junior accessory dwelling units is codified at Chapter 27.19; and

WHEREAS, Government Code Sections 65852.2 and 65852.22 govern accessory dwelling units and junior accessory dwelling units and were recently amended; and

WHEREAS, these changes in state law necessitate amendments to Chapter 27.19; and

WHEREAS, Government Code Section 65852.2(a)(1)(B) authorizes cities to impose standards on accessory dwelling units in conformance with state law that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum unit size, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources; and

WHEREAS, Government Code Section 65852.2(h)(A) provides that the state Department of Housing and Community Development (HCD) is to make findings regarding local agency ordinance compliance with Section 65852.2; and

WHEREAS, The City reads Government Code Section 65852.2 to authorize cities to regulate ADUs within the required front setback area; and

WHEREAS, HCD has reviewed the City’s proposed ordinance and believes that Government Code Section 65852.2 authorizes the location of accessory dwelling units in required front setback areas and that the City is required to permit accessory dwelling units within required front setback areas; and

WHEREAS, Government Code Section 65852.2(h)(B)(ii) provides that, in the event that the City disagrees with an HCD finding, the City may adopt findings explaining why the ordinance is in compliance with Section 65852.2; and

WHEREAS, The City wishes to prohibit accessory dwelling units within required front setback areas based on health and safety concerns;

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

**Section 1. Legislative Findings.** The City Council of the City of San Mateo finds:

(a) Government Code Section 65852.2(a)(1)(B) authorizes cities to impose parking and setback standards in conformance with state law.



(b) Government Code Section 65852.2(e) limits side and rear setbacks for accessory dwelling units to four feet, but does not address front setbacks.

(c) The City wishes to limit the location of accessory dwelling units to locations outside of the required front setback to address the following health and safety concerns:

(1) The City's required front setback areas range from 15 feet to 25 feet.

(2) Given the size of these required front setback areas, it is necessary to preserve visibility to the street from driveways and parking spaces for vehicles exiting the property in order to protect both pedestrians and passing vehicles.

**Section 2.** Subsection (c) of Section 27.04.165 of the San Mateo Municipal Code is amended as follows:

(c) "Junior accessory dwelling unit" means an additional, independent living unit constructed within the walls of a proposed or legally existing single-family residence, including attached garages.

**Section 3.** Section 27.19.010 of Article I, "Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

#### **27.19.010 Purpose**

The purpose of this Article is to set forth regulations to permit accessory dwelling units (ADUs) in accordance with state law.

**Section 4.** Section 27.19.020 of Article I, "Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is removed.

**Section 5.** Section 27.19.030 of Article I, "Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

#### **27.19.030 Prohibition on Sale and Limitation on Rental**

(a) An ADU shall not be sold separately from the primary residence.

(b) If an ADU is rented, the unit shall not be rented for a period of less than 30 consecutive calendar days.

**Section 6.** Section 27.19.040 of Article I, "Accessory Dwelling Units" of the San Mateo Municipal Code is amended as follows:

#### **27.19.040 Ministerial Permit Required**

An ADU permit application for either an attached or a detached ADU is required in order to demonstrate that a unit is in compliance with the provisions of this Article. If the ADU is in full compliance with the provisions of this Article, a ministerial, non-discretionary permit will be issued.

**Section 7.** Section 27.19.050 of Article I, “Accessory Dwelling Units,” of the San Mateo Municipal Code is amended as follows:

#### **27.19.050 Development Standards**

An ADU, as defined in Section 27.04.165, shall comply with the following development standards:

(a) Permitted Zoning Districts. ADUs shall only be constructed on property zoned to allow residential use.

(b) Number of Units. No more than the number of ADUs allowed by state law may be constructed on any site.

(c) State Exempted “By Right” ADUs. A property may construct either an attached or detached ADU of at least 800 square-feet in size and of at least 16 feet in building height with four-foot side and rear setbacks regardless of any size limitation based on the size of the proposed or existing primary dwelling, lot coverage, floor area ratio, open space, or minimum lot size that would otherwise preclude or limit its construction. The floor area of any new ADU in excess of 800 square feet shall be applied to the maximum floor area allowance of the subject lot as prescribed by the underlying zoning district.

(d) Maximum Unit Size. Floor area size maximums for ADU development in excess of 800 square feet are governed by the floor area maximum established by the underlying zoning district and remaining floor area allowance available on the lot. In instances when the existing floor area allowance of a lot has been fully utilized, the state exempted “by right” ADU is permitted. Floor area associated with the ADU in excess of 800 square feet is applied to the floor area total of the lot.

(1) Attached Accessory Dwelling Units. An attached ADU may be up to a maximum 1,200 square feet in size subject to floor area ratio standards.

(2) Accessory Dwelling Unit Conversions. An ADU conversion within the walls of an existing primary residence or accessory structure is not subject to size requirements. ADU conversions may be expanded up to 150 square feet beyond the existing footprint provided the expansion is used to accommodate ingress and egress to the ADU.

(3) Detached Accessory Dwelling Units. A detached ADU located on a lot less than 10,000 square feet in size shall not exceed 1,200 square feet in floor area. A detached ADU located on a lot of 10,000 or more square feet in size shall not exceed 1,500 square feet in floor area.

(4) Detached Accessory Dwelling Unit and Junior Accessory Dwelling Unit. Subject to the floor area requirements, one new detached ADU may be constructed on a lot with a junior accessory dwelling unit (JADU).

(e) Height. The specific height maximums are applicable to all zoning districts which permit ADUs.

(1) Attached Accessory Dwelling Units. Maximum building height for an attached ADUs is 24 feet to top plateline and 32 feet to roof peak as measured from existing grade.

(2) Detached Accessory Dwelling Units. Maximum building height for a detached ADU is 20 feet to top plateline and 28 feet to roof peak as measured from existing grade.

(f) Setbacks. An ADU must provide a setback of at least four feet from both the side and rear yard setbacks and outside of any required front setback except that:

(1) No setback shall be required for an existing legally permitted garage or accessory structure that is converted to an ADU which is constructed in the same location and to the same dimensions as the existing structure.

(2) A minimum setback of four feet shall be required from the side and rear lot lines for all new ADU construction not meeting the criteria set forth in subsection (1) above, including ADUs constructed above an existing legally permitted garage.

(g) The ADU, whether attached or detached, shall provide a separate exterior entrance, and permanent provisions for living, sleeping, cooking facility/kitchen, and bathroom with shower.

(h) Location of Accessory Dwelling Unit. The ADU may be within, attached to, or detached from the primary dwelling unit. ADUs shall be accessory to the primary residence and are permitted in the same locations on the parcel as the primary residence as specified in the underlying zoning district provided that only a four foot side and rear setback will be required for an ADU.

(i) Number and Type of Required Parking Spaces.

(1) General Requirements. There shall be a minimum of one standard size off-street parking space for each ADU or bedroom, whichever is less. All required parking spaces shall be a minimum of 10 feet wide by 18 feet long without any obstructions. Parking associated with ADU or JADU development, whether required or voluntary, must be located entirely within the property, and may be provided in a garage, carport, uncovered, or in tandem orientation. Additionally, maximum driveway width for single-car garages may be up to 20 feet to accommodate additional off-street parking. The required parking for the primary residential dwelling unit must comply with current standards, as specified by the underlying zoning district.

(2) Location of Parking for Accessory Dwelling Units. Parking for the accessory dwelling unit may be located in the required front, side, and rear yard setback areas.

(3) Replacement off-street parking is not required when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU.

(4) Voluntary Parking. If no parking space is required, a maximum of one parking space per ADU or JADU may be voluntarily provided. Parking Exemptions. No additional parking shall be required for an ADU in the following instances:

(A) The ADU is located within one-half (1/2) mile walking distance of public transit; or

(B) The ADU is located within an architecturally and historically significant historic district; or

(C) The ADU is in part of the proposed or existing legally permitted primary residence or an existing legally permitted accessory structure; or

(D) In an area requiring on-street parking, permits are required but not offered to the occupant of the ADU; or

(E) When the ADU is located within one block of a car sharing pick-up/drop-off location.

(j) Architectural Standards. New ADUs and conversions of an existing legally permitted structure shall be designed to comply with the following standards:

(1) Attached Accessory Dwelling Units. ADUs that are attached to the primary residential dwelling unit shall:

(A) Locate the primary entrance to the ADU so that it is not directly facing the street unless precluded by existing site conditions as determined by the City;

(B) Be of the same architectural style as the primary structure;

(C) Be constructed of the similar exterior materials, finishes, and family of colors as the primary residential dwelling unit; and

(D) Offset windows from neighbor's windows to maximize privacy;

(E) Be designed to meet the daylight plane requirements of the underlying zoning district.

(2) Detached Accessory Dwelling Unit. An ADU that is detached from the primary residential dwelling unit shall:

(A) Offset windows from neighbor's windows to maximize privacy;

(B) When second story windows directly face a neighboring property and are located within four feet of a side property line or within 15 feet of a rear property line, either:

(i) elevate windowsill so that top of windowsill is no less than 5 feet from floor;  
or

(ii) install and maintain permanently obscured windows;

(C) Not locate open second-story stair landings facing the rear or side property lines nearest the ADU, except to provide the minimum area required to allow ingress and egress as specified by the California Building Code; and

(D) Not have second-story decks and balconies not associated with exiting requirements.

(E) Be designed to meet the daylight plane requirements of underlying zoning district.

(k) Utility Service. If an ADU is constructed within existing space, a separate water connection, a sewer service connection, or power connection is not required for an ADU. If an ADU is not constructed within existing space, the City may require a new or separate utility connection.

(l) Utility Fees. For an ADU located within an existing structure, payment of a connection fee or capacity charge is not required. For an ADU that is separate from an existing structure, the City will require payment of a connection fee or capacity charge that is proportionate to the ADU's burden.

(m) Address Assignment. An application for a building permit for an ADU must include application for a separate address assignment.

(n) Other Requirements. All other zoning requirements shall be complied with unless an authorized variance is approved.

(o) For accessory dwelling units proposed within an existing multi-family structure or on a lot with an existing multi-family dwelling, the provisions of Government Code Section 65852.2(e)(1) apply.

**Section 8.** Section 27.19.060 of Article I, "Accessory Dwelling Units," of the San Mateo Municipal Code is amended as follows:

#### **27.19.060 Recordation of Deed Restriction**

(a) A deed restriction shall be recorded to run with the land and submitted to the City prior to building permit issuance which indicates the following:

(1) Only one unit may be occupied solely by persons other than the owner or owners of record. This requirement is not applicable to ADUs approved between January 1, 2020, and December 31, 2024, per California Gov. Code (Gov. Code, § 65852.2, subd. (a)(6)).

(2) If an ADU is rented, the unit shall not be rented for a period of less than 30 consecutive calendar days.

(3) Sale of the ADU separately from the sale of the single-family residence is prohibited.

(4) The approved size and attributes of the ADU.

(b) A copy of this deed restriction must be given to each prospective occupant.

**Section 9.** Section 27.19.070, of Article II, "Junior Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

## 27.19.070 Purpose

The purpose of this Article is to set forth regulations to permit junior accessory dwelling units (JADUs).

**Section 10.** Section 27.19.080 of Article II, "Junior Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is removed.

**Section 11.** Section 27.19.090, of Article II, "Junior Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

### 27.19.090 Prohibition on Sale and Limitation on Rental

(a) A JADU shall not be sold separately from the primary residence.

(b) If a JADU is rented, the unit shall not be rented for a period of less than 30 consecutive calendar days.

**Section 12.** Section 27.19.100, of Article II, "Junior Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

### 27.19.100 Ministerial Permit Required

A JADU permit application is required in order to demonstrate that the unit is in compliance with the provisions of this Article. If the JADU is in full compliance with the provisions of this Article, a ministerial, non-discretionary permit shall be issued.

**Section 13.** Section 27.19.110, of Article II, "Junior Accessory Dwelling Units," of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

### 27.19.110 Development Standards

A "junior accessory dwelling unit," as defined in Section 27.04.165, must comply with the following development standards:

(a) Permitted Zoning Districts. JADUs shall only be constructed on properties zoned to allow single-family residential use, and for which a single-family residence exists, or is proposed to be built. The residential property shall not be part of a condominium, townhouse, or other multi-family development.

(b) Limit to the Number of Junior Accessory Dwelling Units. The number of JADUs is limited to one per residential lot with a single-family residence. Lots with multi-family housing or more than one detached single-family dwelling are not eligible for JADUs.

(c) Setback and Other Zoning Regulations. For purposes of setbacks and other zoning regulations, the JADU shall be considered to be a part of the principal use of subject site and shall be subject to the same requirements of the underlying zoning district.

(d) Maximum Unit Size. The floor area of a JADU shall not exceed 500 square feet, including attic and basement areas as defined in Section 27.04.200 for the applicable zoning district, provided that the total floor area for the parcel or lot does not exceed the maximum allowable floor area.

(e) Construct within Existing Structure. The JADU shall be constructed within the walls of the proposed or legally existing single-family dwelling unit, including an attached garage. Detached accessory structures, including detached garages or carports, are not permitted to be converted into JADUs.

(f) Unit Access. A JADU must include:

(1) A separate exterior entry from the main entrance to the one-family dwelling, which shall be provided to serve the JADU only; and

(2) An interior entry access between the JADU and the one-family dwelling. This interior entry access may be a door equipped with a double lock. A permitted JADU may include a second interior door for sound attenuation.

(g) Efficiency Food Preparation Area. A JADU shall include an efficiency kitchen that includes the following components:

(1) Cooking facility with appliances; and

(2) Food preparation counter and storage with cabinets that are of reasonable size in relation to the size of the JADU.

(h) Sanitation Facilities. A JADU may include its own separate sanitation facilities, or may share sanitation facilities with the primary dwelling unit.

(i) Building and Fire Requirements.

(1) No fire wall separation or noise attenuation measures are required between the main dwelling and the JADU. No fire sprinklers are required for the JADU, unless the associated improvements meet the threshold for a "substantial remodel" as defined by Chapter 23, Building and Construction, of the San Mateo Municipal Code. The JADU shall have an adjoining door connected to the main living area for fire separation. A smoke alarm shall be required in the JADU and shall be connected to the smoke alarm in the main residence.

(2) The JADU shall be equipped with a carbon monoxide detector.

(j) Utility Service. A separate water connection, a separate sewer service connection, and power connection as water, sewer, and power service is not required for a JADU.

(k) Parking. No additional off-street parking is required for a JADU.

(l) Address Assignment. An application for a building permit for a JADU must include application for a separate address assignment.

**Section 14.** Section 27.19.120, of Article II, “Junior Accessory Dwelling Units,” of Chapter 27.19 of the San Mateo Municipal Code is amended as follows:

**27.19.120 Recordation of Deed Restriction**

(a) A deed restriction shall be recorded to run with the land and submitted to the City prior to building permit issuance which indicates the following:

(1) The property owner must occupy either the single-family residence or the junior accessory unit.

(2) If a JADU is rented, the unit shall not be rented for a period of less than 30 consecutive calendar days.

(3) Sale of the JADU separately from the single-family residence is prohibited.

(4) The approved size and attributes of the JADU.

(b) A copy of this deed restriction must be given to each prospective occupant.

**Section 15. Environmental Determination.** In accordance with Public Resources Code Section 21080.17 and California Environmental Quality Act (CEQA) Guidelines, section 15282(h), the portion of this ordinance addressing accessory dwelling units is statutorily exempt from CEQA, because it relates to second units in a single family or multifamily residential zone. In accordance with CEQA Guidelines Section 15061(b)(3), the portion of this ordinance addressing junior accessory dwelling units is exempt from CEQA, because it can be seen with certainty that there is no possibility that amending the City’s Zoning Code to comply with state law requirements pertaining to junior accessory dwelling units within existing residences will have a significant effect on the environment.

**Section 16. 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 17. 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 18. 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.



# Summary of Recent Changes to Accessory Dwelling Unit Laws



In Government Code Section 65852.150, the California Legislature found and declared that, among other things, allowing accessory dwelling units (ADUs) in zones that allow single-family and multifamily uses provides additional rental housing, and is an essential component in addressing California's housing needs. Over the years, ADU law has been revised to improve its effectiveness at creating more housing units. Changes to ADU laws effective January 1, 2020, further reduce barriers, better streamline approval processes, and expand capacity to accommodate the development of ADUs and junior accessory dwelling units (JADUs).

ADUs are a unique opportunity to address a variety of housing needs and provide affordable housing

options for family members, friends, students, the elderly, in-home health care providers, people with disabilities, and others. Further, ADUs offer an opportunity to maximize and integrate housing choices within existing neighborhoods.

Within this context, the California Department of Housing and Community Development (HCD) has prepared this guidance to assist local governments, homeowners, architects, and the general public in encouraging the development of ADUs. Please see Attachment 1 for the complete statutory changes. The following is a summary of legislation since 2019 that amended ADU law and became effective as of January 1, 2020.

## **AB 68 (Ting), AB 881 (Bloom), and SB 13 (Wieckowski)**

Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Sections 65852.2, 65852.22 and further address barriers to the development of ADUs and JADUs) (Attachment A includes the combined ADU statute updates from SB 13, AB 68 and AB 881.)

This recent legislation, among other changes, addresses the following:

- Prohibits local agencies from including in development standards for ADUs requirements on minimum lot size (Gov. Code, § 65852.2, subd. (a)(1)(B)(i)).
- Clarifies areas designated by local agencies for ADUs may be based on the adequacy of water and sewer services as well as impacts on traffic flow and public safety (Gov. Code, § 65852.2, subd. (a)(1)(A)).
- Eliminates all owner-occupancy requirements by local agencies for ADUs approved between January 1, 2020 and January 1, 2025 ((Gov. Code, § 65852.2, subd. (a)(6)).
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1,000 square feet if the ADU contains more than one bedroom and requires approval of a permit to build an ADU of up to 800 square feet ((Gov. Code, § 65852.2, subd. (c)(2)(B) & (C)).

- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required by the local agency (Gov. Code, § 65852.2, subd. (a)(1)(D)(xi)).
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days (Gov. Code, § 65852.2, subd. (a)(3) and (b)).
- Clarifies that “public transit” includes various means of transportation that charge set fees, run on fixed routes and are available to the public (Gov. Code, § 65852.2, subd. (j)(10)).
- Establishes impact fee exemptions and limitations based on the size of the ADU. ADUs up to 750 square feet are exempt from impact fees (Government Code Section 65852.2, Subdivision (f)(3)); ADUs that are 750 square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling unit (Gov. Code, § 65852.2, subd. (f)(3)).
- Defines an “accessory structure” to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU (Gov. Code, § 65852.2, subd. (j)(2)).
- Authorizes HCD to notify the local agency if HCD finds that their ADU ordinance is not in compliance with state law (Gov. Code, § 65852.2, subd. (h)(2)).
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs (Gov. Code § 65583.1, subd. (a), and § 65852.2, subd. (m)).
- Permits JADUs even where a local agency has not adopted an ordinance expressly authorizing them (Gov. Code, § 65852.2, subd. (a)(3), (b), and (e)).
- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence (Gov. Code § 65852.22, subd. (a)(4); Former Gov. Code § 65852.22, subd. (a)(5)).
- Requires, upon application and approval, a local agency to delay enforcement against a qualifying substandard ADU for five (5) years to allow the owner to correct the violation, so long as the violation is not a health and safety issue, as determined by the enforcement agency (Gov. Code, § 65852.2, subd. (n); Health and Safety Code § 17980.12).

### **AB 587 (Friedman), AB 670 (Friedman), and AB 671 (Friedman)**

In addition to the legislation listed above, AB 587 (Chapter 657, Statutes of 2019), AB 670 (Chapter 178, Statutes of 2019), and AB 671 (Chapter 658, Statutes of 2019) also have an impact on state ADU law, particularly through Health and Safety Code Section 17980.12. These recent pieces of legislation, among other changes, address the following:

- AB 587 creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separately from the primary dwelling by allowing deed-restricted sales to occur if the local agency adopts an ordinance. To qualify, the primary dwelling and the ADU are to be built by a qualified nonprofit corporation whose mission is to provide units to low-income households (Gov. Code § 65852.26).
- AB 670 provides that covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable (Civil Code Section 4751).

- AB 671 requires local agencies' housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs. (Gov. Code § 65583; Health and Safety Code § 50504.5)

## JUNE 24 & 26, 2021, ADU/JADU WORKSHOP POLL QUESTION RESULTS

*Provided below are the results of the poll conducted during the Community Workshop: Accessory Dwelling Units/Junior Accessory Dwelling Units Ordinance Update Discussion events held on June 24 and June 26, 2021.*

*A combined total of 65 attendees participated in the two virtual workshops. Not all of the attendees participated in taking the poll. Two demographic poll questions were asked to help understand the relationship the attendees have with the San Mateo community and to understand what their interest in ADUs. The remaining nine poll questions focused on aspects of ADU and JADU development where the City still has remaining discretion. The questions were posed under the general categories: building height, architecture & design, size standards, and parking.*

*Each of the nine presented poll questions include the discussion prompt used by staff to lead into each poll question for added context. The individual poll results are provided in table form with each respective question. The answer choice that was selected the most is bolded and highlighted in grey. Please note, poll questions which allowed the respondent to select multiple answers (i.e., select all that apply) include the total number of respondents in the table.*

### INITIAL AUDIENCE DEMOGRAPHIC POLL QUESTIONS

1. **What is your relationship to the community? (select all that apply)**

- a. Resident of San Mateo
- b. Have family in San Mateo
- c. Would like to live in San Mateo
- d. None of the above

Answer Choice	Answer Selected	Total Respondents
<b>a.</b>	<b>39</b>	<b>48</b>
b.	10	48
c.	0	48
d.	7	48

2. **What is your interest in in ADUs? (select all that apply)**

- a. Already have an ADU
- b. Interested in building an ADU
- c. Have concerns about ADU
- d. Information gathering

Answer Choice	Answer Selected	Total Respondents
a.	2	48
<b>b.</b>	<b>30</b>	<b>48</b>
c.	5	48
d.	23	48

## **BUILDING HEIGHT**

**Discussion:** The state requires local agencies to allow for ADUs of at least 16 feet in height. However, it does not specify how that height is measured nor does it mandate that two-story ADUs must be permitted, leaving that up to the determination of the local agency. In San Mateo, *building height* is measured from existing grade to the top of the highest plate line. Additionally, our R1 and R2 zoning districts also have a maximum structural height limit which is measured from grade to the top of the roof peak (i.e., the highest point of the roof).

*Poll Question #1:* What should be the maximum building height for a detached ADU? **(select one)**

- a. 16 feet to top plate line/24 feet to roof peak (maintains the state's minimum requirement, but allows for a second-floor or loft with certain designs)
- b. Less than what is allowed for a single-family home in the R1 and R2 zoning districts, but more than the state's minimum requirement (e.g., 20 feet to top plate line/28 feet to roof peak)
- c. 24 feet to top plate line/32 feet to roof peak (the same maximum height allowed for a single-family home in our R1 and R2 zoning districts)

Answer Choice	Answer Selected
a.	31
b.	12
c.	16

## **ARCHITECTURE & DESIGN**

**Discussion:** The state law mandates that ADUs are processed ministerially through a building permit process. While ADUs are exempt from Planning Commission review or any other discretionary process, it does allow for objective architectural standards to be imposed. Some examples from our existing local ADU ordinance which can still be imposed include offsetting windows from neighboring property windows to maximize privacy and requiring ADUs to be constructed of the similar exterior materials and finishes as the primary residence (show existing Architectural Standards).

*Poll Question #2:* What design features of a detached ADU should match the primary home? **(select all that apply)**

- a. Roof form
- b. Exterior materials
- c. Exterior color palette
- d. Architectural style (e.g., modern, ranch, Craftsman, et cetera)
- e. Window sizes, frame styles, and trim
- f. None (detached ADUs should not be required to match the design of the primary home)

Answer Choice	Answer Selected	Total Respondents
a.	18	58
b.	18	58

c.	22	58
d.	27	58
e.	11	58
<b>f.</b>	<b>29</b>	<b>58</b>

**Poll Question #3:** Which of the following objective design standards for two-story detached ADUs should be required to limit privacy impacts on neighboring properties? **(select all that apply)**

- a. Windowsill heights for second story windows located within 4-feet of side and rear property lines can be no less than 5 feet in height
- b. Obscured glazing (permanent) for second story windows located within 4-feet of side and rear property lines
- c. No balconies or decks on the second-floor, immediately facing adjacent properties when built within 4 feet of the side or rear yard property line
- d. No objective design standards should be imposed

Answer Choice	Answer Selected	Total Respondents
a.	27	56
b.	24	56
<b>c.</b>	<b>40</b>	<b>56</b>
d.	12	56

### **SIZE STANDARDS**

**Discussion:** Currently, state law specifies attached ADUs are permitted to be up to 50% of the size of the primary home, provided the city allow an ADU of least 850 sq. ft., or at least 1,000 sq. ft. if it contains more than one bedroom.

**Poll Question #4:** The maximum size of an attached ADU should be **(select one)**:

- a. Allowed to be up to 50% the size of the primary home, or 1,000 sq. ft., whichever is greater, regardless of bedroom count
- b. Allowed to be up to 50% the size of the primary home, or up to 1,200 sq. ft. maximum
- c. Limited to 850 sq. ft. for a studio/one-bedroom, and 1,000 sq. ft. for more than one-bedroom (not percentage based)

Answer Choice	Answer Selected
a.	8
<b>b.</b>	<b>26</b>
c.	21

**Discussion:** The state allows cities to impose conditions on development scenarios when a detached ADU and a JADU are combined with a single-family dwelling on the same lot. The conditions allow the local agency to impose the following conditions on the detached ADU:

- I. A total floor area limitation of not more than 800 sq. ft.

- II. A height limitation of 16 feet

**Poll Question #5:** Which of the following should the City do? (select one)

- a. Impose both conditions (I and II)
- b. Impose only condition (I)
- c. Impose only condition (II)
- d. Do not impose either of the conditions

Answer Choice	Answer Selected
a.	21
b.	1
c.	14
d.	22

**Discussion:** Individual parcel sizes in San Mateo’s residential zoning districts can range greatly from 2,500 sq. ft. lots to up to three acres in size. State law specifies that a detached ADU can be up to a maximum of 1,200 sq. ft. in size provided there is adequate floor area allowance remaining on the lot.

**Poll Question #6:** The maximum size of detached ADU should be (select one):

- a. Up to 850 sq. ft. for studio/1-bedroom, or up to 1,000 sq. ft. for 2+ bedrooms
- b. Up to 1,000 sq. ft. regardless of bedroom count
- c. Default to the state’s established maximum size for detached ADUs (1,200 sq. ft.)
- d. Tiered based on lot size (e.g., up to 1,200 sq. ft. for lots 0-9,999 sq. ft. in size; up to 1,500 sq. ft. for lots 10,000 sq. ft. or greater in size; et cetera)

Answer Choice	Answer Selected
a.	14
b.	2
c.	20
d.	23

## **PARKING**

**Discussion:** State law specifies required off-street parking associated with ADU development shall not exceed one parking space per ADU or per bedroom, whichever is less. However, state law provides several parking exemptions (shown on presentation slide) that exempt most residentially zoned properties in the City from having to provide off-street parking associated with ADU development. Additionally, state law

eliminates the need for replacement off-street parking when a parking structure is either demolished or converted in conjunction with the construction of an ADU, as was previously required.

**Poll Question #7:** Should the City exempt all ADU development from required off-street parking? **(Yes or No)**

Answer Choice	Answer Selected
a.	31
b.	30

**Discussion:** State law permits a property owner to develop their lot with both a JADU and ADU in addition to a single-family residence, the increase of dwelling units on a single lot may have a corresponding impact to on-street parking in residential neighborhoods. As such, additional on-site parking allowance may need to be considered to offset the potential impacts to on street parking.

**Poll Question #8:** The City should consider which of the following parking allowances for properties being developed with either an ADU or JADU? **(select all that apply)**

- a. Allow parking in required setback areas including paved front, side, and rear yard areas
- b. Allow wider driveways to accommodate more vehicles on-site
- c. Allow tandem parking
- d. Do nothing

Answer Choice	Answer Selected	Total Respondents
a.	35	57
b.	37	57
c.	36	57
d.	10	57

**Discussion:** JADUs may be created within the walls of a proposed or existing single-family residence, including attached garages. However, attached garages which are converted into JADUs are not subject to the replacement parking exemption ADUs are.

**Poll Question #9:** Should JADU conversions of attached garages be required to provide replacement parking? **(Yes or No)**

Answer Choice	Answer Selected
a.	27
b.	37



**From:** [Patrice Olds](#)  
**To:** [Phillip Brennan](#)  
**Subject:** FW: In favor of 24ft ht limit for ADUs  
**Date:** Friday, May 14, 2021 3:32:33 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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**Patrice M. Olds, MMC**

City Clerk | City of San Mateo

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

650-522-7042 | [polds@cityofsanmateo.org](mailto:polds@cityofsanmateo.org)

**From:** Nina Nazarov Hambly [REDACTED]  
**Sent:** Friday, May 14, 2021 10:33 AM  
**To:** City Council (San Mateo) <CityCouncil@cityofsanmateo.org>  
**Cc:** [REDACTED]  
**Subject:** In favor of 24ft ht limit for ADUs

Hello San Mateo City Council,

Thank you for your time to review public input and considering amending local regulations to have a 24 ft height limit for Accessory Dwelling Units.

I am a licensed architect in California, and grew up in San Mateo. I attended Aragon High School and then Cal Poly San Luis Obispo. San Mateo has always been a big part of my life.

I've become aware that the City Council is considering adopting a 24 ft height restriction for ADU's. This would be a height increase from the current regulations at 16 ft maximum height. I think that a 24 ft height limit is essential to providing an increase in the possibilities for ADU placement, decrease the sacrifices a homeowner needs to make for siting and ADU, maintain a greater amount of outdoor space, to create family ties, and aging in place.

The City of San Mateo has established residential neighborhoods, and limited lot sizes. Let's face it, most properties don't have empty backyards in San Mateo where an 850 SF, or even 300 SF, unit can easily be placed. Most homes in San Mateo have mature landscaping, where homeowners take pride and enjoy having. As an architect, I am sensitive to the way my clients use their homes, including their gardens. A 24 ft vs 16 ft height limit can greatly increase the possibilities for siting an ADU. Increasing the height limit to 24 ft would limit how many sacrifices a homeowner needs to make to have a compact yet comfortable ADU. Additionally, it would create the possibility to maintain more outdoor space. There are many proven psychological benefits to outdoor spaces.

As an architect, I've seen numerous homeowners find that ADUs are the pathway to having 3 generations live comfortably on one property. It allows families to come together. Grandparents are there for grandkids as they grow up. Families can strengthen their bonds by living closely together. It's also a huge benefit to have independent units between the generations. More than half of the

ADUs that I have worked on are for families that will have 3 generations living on the property. The 3 generation model also allows aging in place to happen to a greater degree. People will feel comfortable staying in their homes longer with family nearby, and just a few feet away.

I think that a 24 ft height limit is essential to providing an increase in the possibilities for ADU placement, decrease the sacrifices a homeowner needs to make for siting and ADU, maintain a greater amount of outdoor space, to create family ties, and aging in place. In my opinion, these are just a few notable reasons why I support the height increase for ADUs. There are many others such as stimulating the economy - something we are in much need of right now. Increasing the height limit comes down to being able to create 2 stories which decreases the barrier and opens many possibilities for siting ADUs.

Sincerely,

**Nina Nazarov Hambly, AIA, NCARB**

**Architect,** Hambly Homes Architecture

[Redacted Signature]

Office Hours: Tues - Sat

**From:** [James Wang](#)  
**To:** [Phillip Brennan](#)  
**Subject:** San Mateo ADU community input  
**Date:** Friday, May 28, 2021 11:32:31 AM

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Hello Phillip,

I am a resident of San Mateo [REDACTED] and I would like to submit the following comment as part of the city's reconsideration of ADU guidelines.

I believe we need to clear away as many barriers to building ADUs as possible to make progress against the housing crisis and also to allow intergenerational housing to develop. Personally, I have in-laws who would love to live on an ADU on our property and help out with our young children, but current city regulations on ADUs make it difficult for us to proceed. I would like to encourage the city's consideration of the following two changes:

**1. Remove all height restrictions specific to ADUs**, thereby putting ADUs under the same zoning guidelines as the underlying zoning district. I don't believe there is any justification for differential restrictions within a lot for particular structure types. If the main housing structure is allowed to be three stories tall by zoning district rules, then an ADU should also be allowed to be three stories tall.

**2. Remove the setback requirement when building up** on an existing structure. Current ADU guidelines state that an ADU must be setback at least 4 feet from the property line, but that this requirement is waived if converting an existing structure like a garage. HOWEVER, if one were to build a second story on top of the existing structure, the setback requirements do apply to the second story. This results in very awkward building design and increases building and engineering cost significantly. We should encourage the preservation of garage spaces and maximize the allowable second story ADU square footage. Therefore, I strongly encourage the city to extend the waiver of the setback requirement to all vertical additions on top of an existing structure.

Thank you for your consideration of these points.

James

**From:** [LAURENCE KINSELLA](#)  
**To:** [Phillip Brennan](#)  
**Subject:** ADU ordinance comment  
**Date:** Tuesday, June 22, 2021 3:07:59 PM

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Dear Mr. Brennan,

If one were to look at possible examples of poor, added units planning, you might look at B Street in Hayward Park. I've lived there since 1980.

Over time the serendipity of putting additional units on the east side of B Street (R-4) in the Hayward Park has become an example of poor planning. I don't think much of the residential zoning district regulations are or were ever applicable to the east side of B...many are small lots that are zoned R-4, haphazard rear yard setbacks of less than 15 feet, less than required lot area per dwelling unit, no on-site parking in many of the dwellings etc....

Traffic and parking are serious issues along the length of narrow, carriage curbed, B Street from 9th to 16th and which will be made worse with all of the new and planned high density development on both the north and south ends/areas of Hayward park. Added residential/commercial zoning mixes make matters worse, especially during the daytime with residents now having to apply for parking permits in their own residential areas.

What I'm suggesting is to have a look at that particular situation, and maybe you would gleam some ideas about what to do or not do in planning the City's new ADU ordinance.

Regards,

Laurence Kinsella



**From:** [Ben Toy](#)  
**To:** [Phillip Brennan](#)  
**Subject:** Re: Community Survey: Changing ADU Housing Regulations in San Mateo  
**Date:** Thursday, July 15, 2021 1:41:55 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Hi Phillip,

Glad to hear from you.

While on planning...some comments other than ADU/JADU's

Our ordinances are outdated as most were drafted/approved in the 20th Century and we are now 21 years into the 21st century

Human society is based on two main attributes....Change and growth for every measure of our society has a growth/change attribute: GDP, inflation, stagnation, cost of living, population growth or decline, etc.

Commute and parking are the main complaints, and not just in San Mateo. Ask them why they think there is a commute & parking problem and most will not really know the root cause and just complain...all the while refusing to allow designated, high density/TOD development of new bedrooms. Bedrooms because most hearing housing, think R1, which is only a small slice. As we are returning to become (already there) a renters' society, again.

Bedroom from bedroom community way out there because of our restrictions here where their jobs are.

Please keep an open mind on automated parking, which is the automotive equivalent of high density bedrooms. Plus their cost has been coming down and the foot print no different than a traditional 20th Century parking structure...just that robots store autos inches apart both horizontally and vertically.

This is a link to one of my files working on jobs & bedroom development for clients.

[https://drive.google.com/drive/folders/1ssA\\_pdu25ggOb1F2j45RqTelRkPkWWil?usp=sharing](https://drive.google.com/drive/folders/1ssA_pdu25ggOb1F2j45RqTelRkPkWWil?usp=sharing)

San Mateo is small in reference to where these building are being built worldwide, but think we can in a similar scale and hope to provide added stories if the developer employs tree metrics.

We need both PW & Planning to move away from an LOS based metric and over to a VMT/Form Based Code model

Thanks for this chance to speak...

Ben....please excuse my fat finger typos

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On Thu, Jul 15, 2021 at 1:06 PM Phillip Brennan <[pbrennan@cityofsanmateo.org](mailto:pbrennan@cityofsanmateo.org)> wrote:

Hello:

The City of San Mateo is considering how to update local regulations to align with new state laws, as well as develop accessory dwelling unit (ADU) standards that best address the needs and concerns of our residents. Please take this survey to learn about the statewide changes and share your feedback on issues such as maximum building size and height, parking requirements and design standards. The survey results, along with feedback gathered during two online workshops held this past June, will be shared with the Planning Commission at its August 24, 2021, regular meeting, and with the City Council at its September 7, 2021, regular meeting. The feedback will be used to help inform the development of our new local regulations.

You can take the survey at <https://www.opentownhall.com/10551>

\*Please note, the survey will be closed on August 22, at 11:59 p.m.

Please feel free to contact me with any questions or comments-

Phillip B.



**Phillip Brennan, AICP**

Associate Planner | Community Development Department

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

650-522-7218 | [pbrennan@cityofsanmateo.org](mailto:pbrennan@cityofsanmateo.org)



**From:** [REDACTED]  
**To:** [Phillip Brennan](#)  
**Subject:** Here it is again and hopefully all the print is the same.  
**Date:** Thursday, July 22, 2021 8:01:01 PM

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I am totally against ADUs with the State mandates. The City Council should push back on the State about this and at least question some of the detailed requirements that do not make sense for our community. It is unreasonable and poor urban planning with a tops down approach with no real understanding of each city's needs/wants and intimate city details and issues. It's like force fitting a square peg into a round hole. There are other better ways to deal with new housing.

### **Parking**

There should be some sort of onsite parking required for each ADU unit. For example, if two ADU's are added to a lot with one house on it, you could have two or more vehicles per housing unit and six or more vehicles requiring on site parking spaces. If a garage or driveway is used as an ADU that would eliminate parking spaces. In some neighborhoods street parking is already very crowded, especially when guests visit. In areas where there is permit street parking, how will that be handled?

### **Privacy**

There should be restrictions to protect the neighbors privacy with two story units and require that windows do not face neighbors property. Also, walkway entrance to the ADUs needs to be considered (set back) so as not to impact neighbors.

### **Architecture Integrity.**

Any additions should be architecturally similar to the existing structures. Also, these units should be restricted to backyards and not in the front of the house or driveway. Stricter standards should be given to setback from neighbors property. And ADU roof planes should not compromise daylight for a neighbors housing units.

### **Rentals**

A lot of these ADU's will be going into single family neighborhoods zoned R1. If any units are going to be rented then there should be strict rules around this that are more strict than any state and city regulations regarding noise, trash, parking. Also, the main house should also be under these rules if that is rented as well.

### **Neighbors Review**

Before ADUs are built there needs to be a notification and review of the plans by neighbors that could be impacted.

### **Taxes**

There should be an added city tax placed on these units in addition to property taxes if they are rented out. This money could be put to good use by the city.

**From:** [Bobbi Maniscalco](#)  
**To:** [Phillip Brennan](#)  
**Subject:** ADU  
**Date:** Sunday, July 25, 2021 9:07:05 AM

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Phillip Brennan,

I am concerned about the impact of allowing ADU without restrictions would cause to my house, neighborhood and the city of San Mateo.

If homeowners decide to build an ADU, the neighbors should be given more details and have some input on how these will be constructed like height, size, setbacks, front and backyards, parking etc. San Mateo already has a parking problem and this would cause a worst one. An R1 single family neighborhood should remain the same. This is not the answer to affordable housing in a city that is already overcrowded.

Sincerely,  
Barbara Maniscalco



**From:** [Jill McHale](#)  
**To:** [Phillip Brennan](#)  
**Subject:** ERROR IN YOUR FORM: Re: Community Survey: Community Survey: Changing ADU Housing Regulations in San Mateo  
**Date:** Saturday, July 17, 2021 9:36:13 PM

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Hi, your form includes a query that wasn't addressed in the editing. Check out the final response "should we offer this as an answer choice" —which you should, with a write-in option. Because I would write in that all ADUs should be one story.

◀ Mail 58% 9:27 PM opentownhall.com

**Which of the following should be the maximum building height for a detached ADU (select one)?**

- ☐ a. A low height that meets the state's minimum height requirement but allows for a second-floor/loft with certain designs (ex: 16 feet to top plate line/24 feet to roof peak)
- ☐ b. Less than than what is allowed for a single-family home, but more than the state's minimum requirement (ex: 20 feet to top plate line/28 feet to roof peak)
- ☐ c. Same maximum height allowed for a single-family home (24 feet to top plate line/32 feet to roof peak)
- ☒ Other (should we offer this as an answer choice?)

state laws, as well as develop accessory dwelling unit (ADU) standards that best address the needs and concerns of our residents. Please take this survey to learn about the statewide changes and share your feedback on issues such as maximum building size and height, parking requirements and design standards. The survey results, along with feedback gathered during two online workshops held this past June, will be shared with the Planning Commission at its August 24, 2021, regular meeting, and with the City Council at its September 7, 2021, regular meeting. The feedback will be used to help inform the development of our new local regulations.

You can take the survey at <https://www.opentownhall.com/10551>

\*Please note, the survey will be closed on August 22, at 11:59 p.m.

Please feel free to contact me with any questions or comments-

**Phillip B.**

<!--[if !vml]-->

[<image002.png>](#)

<!--[endif]-->**Phillip Brennan, AICP**

Associate Planner | Community Development Department

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

650-522-7218 | [pbrennan@cityofsanmateo.org](mailto:pbrennan@cityofsanmateo.org)

[<image003.png>](#)

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**From:** [Maggie Trinh](#)  
**To:** [Phillip Brennan](#)  
**Subject:** ADUs  
**Date:** Thursday, July 22, 2021 2:53:15 PM

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Hi Phillip, I wanted to write and express that I very much support building more housing in San Mateo, including ADUs. Thank you for your work on this issue!

Maggie



# Changing ADU Housing Regulations in San Mateo

August 23, 2021, 9:27 AM

## Contents

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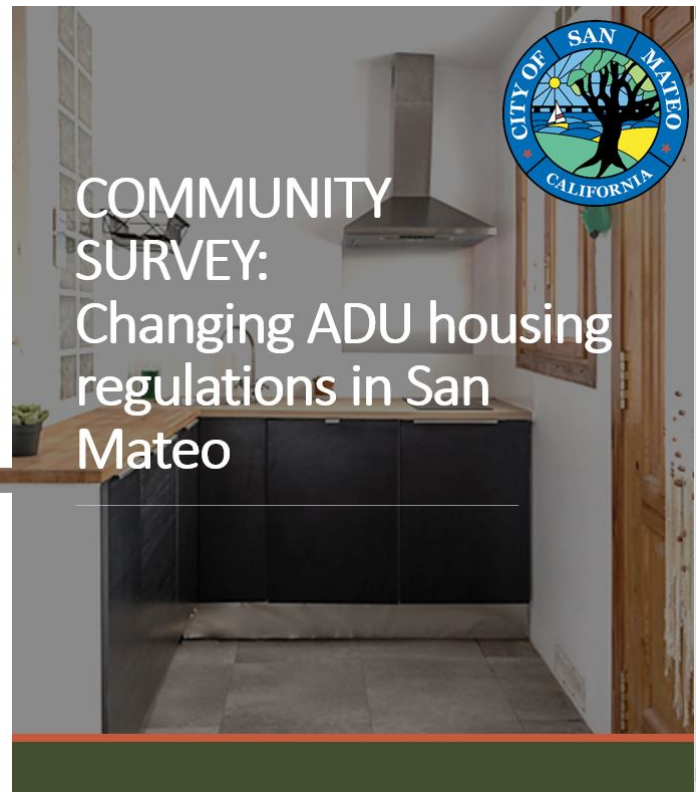
## Changing ADU Housing Regulations in San Mateo

The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.

## Introduction

The City of San Mateo is looking to update its local accessory dwelling unit (ADU) regulations and needs your input! An ADU is a secondary residential housing unit known by many different names, including "in-law unit," "casita," or "guesthouse." ADUs can be built as a detached structure, attached to a single-family home, or be a conversion of an existing space within a home or structure.

We are considering how to update local regulations to align with new state laws, as well as develop ADU standards that best address the needs and concerns of our residents. Please take this survey to learn about the statewide changes and share your feedback on issues such as maximum height and building size, parking requirements, and design standards. This survey, along with feedback gathered during two online workshops held in June, will be shared with both the Planning Commission and City Council as they consider the updated ADU Ordinance later this year.



## Changing ADU Housing Regulations in San Mateo

The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.

## Summary Of Responses

As of August 23, 2021, 9:27 AM, this forum had:

Attendees: 452  
Responses: 233  
Hours of Public Comment: 11.7

Topic Start

July 15, 2021, 10:14 AM

Topic End

August 23, 2021, 9:03 AM

### QUESTION 1

What is your relationship to community? (select one)

		%	Count
a. Resident of San Mateo		83.3%	194
b. Have family in San Mateo		7.7%	18
c. Would like to live in San Mateo		6.0%	14
d. None of the above		3.0%	7

### QUESTION 2

What is your interest in ADUs? (select all that apply)





		%	Count
a. Already have an ADU		6.9%	16
b. Interested in building an ADU		36.5%	85
c. Have concerns about ADUs		37.3%	87
d. Information gathering		40.8%	95

## Changing ADU Housing Regulations in San Mateo

The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.







### QUESTION 3

**Which of the following should be the maximum building height for a detached ADU (select one)?**

		%	Count
a. A low height that meets the state's minimum height requirement but allows for a second-floor/loft with certain designs (ex: 16 feet to top plate line/24 feet to roof peak)		38.3%	88
b. Less than than what is allowed for a single-family home, but more than the state's minimum requirement (ex: 20 feet to top plate line/28 feet to roof peak)		15.7%	36
c. Same maximum height allowed for a single-family home (24 feet to top plate line/32 feet to roof peak)		34.8%	80
d. Other		11.3%	26

### QUESTION 4

**For new detached ADUs, which design features should be required to match with the primary home? (select all that apply)**






		%	Count
a. Roof form		39.8%	90
b. Exterior materials		42.5%	96
c. Exterior color palette		40.7%	92
d. Architectural style (e.g., modern, ranch, Craftsman, etc.)		48.2%	109
e. Window sizes, frame styles, and trim		31.0%	70
f. None (detached ADUs should not be required to match the design of the primary home)		46.5%	105

### QUESTION 5

## Changing ADU Housing Regulations in San Mateo




The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.

**For new two-story detached ADUs, which of the following objective design standards should be required to address potential privacy impacts on neighboring properties? (select all that apply)**

		%	Count
a. Windowsill heights for second-story windows must be no less than 5 feet in height when located within 4 feet of side and rear property lines and facing neighboring properties		40.5%	92
b. Obscured glazing (permanent) for second story windows located within 4-feet of side and rear property lines		41.4%	94
c. Second-story decks or balconies cannot face adjacent properties when built within 4 feet of side and rear property lines		64.3%	146
d. No objective design standards should be imposed		24.7%	56
Other		12.3%	28

### QUESTION 6

**What should the maximum size of an attached ADU be? (select one)**

		%	Count
a. Up to 50% of the size of the primary home or 1,000 sq. ft., whichever is greater		21.4%	49
b. Up to 50% the size of the primary home, or up to 1,200 sq. ft. maximum		31.0%	71
c. Up to 850 sq. ft. for a studio/one-bedroom, and up to 1,000 sq. ft. for two or more bedrooms (not percentage based)		47.6%	109

### QUESTION 7




**What should be the maximum size of a detached ADU? (select one)**

		%	Count
a. Up to 850 sq. ft. for studio/1-bedroom, or up to 1,000 sq. ft. for 2+ bedrooms		36.0%	82







### Changing ADU Housing Regulations in San Mateo

The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.

		%	Count
b. Up to 1,000 sq. ft. regardless of bedroom count		6.1%	14
c. Default to the state's established maximum size for detached ADUs (1,200 sq. ft.)		20.6%	47
d. Tiered based on lot size (ex: up to 1,200 sq. ft. for lots 0-9,999 sq. ft. in size; up to 1,500 sq. ft. for lots 10,000 sq. ft. or greater in size; etc.)		37.3%	85

#### QUESTION 8

**Which of the following should the City do? (select one)**

		%	Count
a. Impose both conditions (I and II), limiting the detached ADU to a maximum of 800 sq. ft. in size with a maximum height of 16 feet		47.8%	109
b. Impose only condition I, limiting the detached ADU to a maximum 800 sq. ft. in size		5.3%	12
c. Impose only condition II, limiting the detached ADU to a maximum height of 16 feet		10.1%	23
Do not impose either of these conditions		38.6%	88

#### QUESTION 9

**Should the City exempt all ADU development from required off-street parking? (select one)**

		%	Count
Yes		41.7%	96
No		58.3%	134





#### QUESTION 10

**Which of the following off-street parking design options for properties building an ADU or JADU be considered?**

## Changing ADU Housing Regulations in San Mateo

The City is in the process of updating its accessory dwelling unit (ADU) ordinance to align with the new state laws and is seeking your input on new rules that will regulate the development of ADUs in San Mateo.

(select all that apply)

		%	Count
a. Allow parking in required setback areas, including paved front, side, and rear yard areas		49.8%	110
b. Allow wider driveways to accommodate more vehicles on-site		53.8%	119
c. Allow tandem parking		52.9%	117
d. Maintain current off-street parking standards		38.5%	85






### QUESTION 11

**Should JADU conversions of attached garages be required to provide replacement parking? (Yes or No)**

		%	Count
Yes		50.4%	114
No		49.6%	112

## QUESTION #5

**For new two-story detached ADUs, which of the following objective design standards should be required to address potential privacy impacts on neighboring properties? (select all that apply)**

		%	Count
a. Windowsill heights for second-story windows must be no less than 5 feet in height when located within 4 feet of side and rear property lines and facing neighboring properties		40.5%	92
b. Obscured glazing (permanent) for second story windows located within 4-feet of side and rear property lines		41.4%	94
c. Second-story decks or balconies cannot face adjacent properties when built within 4 feet of side and rear property lines		64.3%	146
d. No objective design standards should be imposed		24.7%	56
Other		12.3%	28

A total of 28 respondents selected “other” as one of the answer choices to survey Question #5. Selecting “other” allowed the respondent to provide a custom write-in answer. Provided below is an unedited summary of those custom write-in answers.

1. “2 story ADUs should not be allowed”
2. “Second story could be slightly offset from the first story to alter window alignment.”
3. “Taller fences”
4. “There should be NO two-story ADUs.”
5. “No windows on second floor, only skylights”
6. “Overall comment: I am concerned that ADUs will result in crappy housing stock and will deter more substantive (and better) development. I’d prefer to allow the market to permit demolition and rebuilding of better and better-designed housing stock.”
7. “The available options are biased and limited aspects of the ADU's. How about some real input selections? What about heights limitations and existing solar access regs? Off-street parking isn't fully fleshed out under these proposed ADU design standards.”
8. “Exceptions should be permitted based on lot slope. For example, a rear property line ADU on a downslope lot may not have privacy impacts. A prescriptive standard could be too restrictive.”
9. “ADU should not be in the front, they should be in the back of the main house”
10. “Four feet from property line is too close to begin with! Eight feet more reasonable.”
11. “ADUs should NOT be in the front, they should be in the back of the main house!”
12. “neighbors should be invited to look at designs before ADU is built. This would help catch any objections.”
13. “ADUs should be one story only.”
14. “I DO NOT support two story ADUs”
15. “Two story detached ADUs should have a much larger setback (say 10 ft) to preserve privacy and sunlight plane. Otherwise, a two-story ADU could prevent a neighbor's vegetable garden from having enough sunlight.”

16. "neighbor's adu negatively impacts my view, privacy, prop value. Hvac unit sits on property line, so will be bothered by another noise hum. I understand the need for housing, but not enough has been done to protect existing properties"
17. "should only be one story, to protect neighbor privacy"
18. "No unobstructed views of neighbors property if within 4ft of property line"
19. "Offset windows so ADU window not adjacent to neighboring windows"
20. "don't want ADU's"
21. "Don't really know. I would need to see examples."
22. "Only allow single story ADUs"
23. "No two story ADUs"
24. "Second story windows must meet fire code, for maximum height from the floor, for emergency exit."
25. "Do not want two-story ADUs"
26. "Against have ADUs parking issues already"
27. "Standards should be consistent to what is existing for other types of multi-family construction."
28. "ADU should not block the sun from neighboring yards and thus may need tp be much less than 16' in height"

Please note, survey Question #3 also provided "other" as an answer choice. Unfortunately, there was error when the survey launched that removed the ability of a respondent to input a custom answer choice. Staff worked with the survey vendor but was not able to resolve the issue.

**From:** James Isaacs [REDACTED]  
**Sent:** Sunday, August 22, 2021 6:34 PM  
**To:** Phillip Brennan <[pbrennan@cityofsanmateo.org](mailto:pbrennan@cityofsanmateo.org)>  
**Subject:** Height limits for Accessory Dwelling Units

Hi Phillip!

We have not met. My name is James Isaacs and I live at [REDACTED], San Mateo. My wife and I have lived in San Mateo since 1989 and raised our family here.

I wanted to reach out and say "thank you for all you do for the city". We have a clean, well run city that we can all be proud of.

I had heard about the possible changes to the ADU rules being considered. I think it's great that we find ways to fit more people into our wonderful city given all of the housing cost issues we face here. But I do think it is a requirement that we make this expansion happen while respecting the aesthetics and design of each neighborhood. I think we have to:

- Limit height to the 16 feet required by state law, otherwise we could have ADUs looking into the backyards of others.
- Adopt design standards that are sensitive to the close proximity some units have to property lines. If someone is allowed to build right up to the property line it could affect the 'livability' of a neighbor's house.
- One size does not fit all....and make sure perhaps that we vary it by neighborhood wherever possible. It is possibly the case that what might work in one neighborhood would not work in another due to design .

Thanks for your time and thanks for all you do for San Mateo!

Best Regards

James Isaacs