

CHAPTER 35. "RH" DISTRICT **RESIDENTIAL HILLSIDE DISTRICT**

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SECTION 6800. PURPOSE. The purposes of the Residential Hillside District are to:

1. Provide residential areas intended primarily for the location of one-family dwellings, accessory structures and uses on hillside parcels;
2. Accommodate a compatible mix of institutional and recreational land uses to serve the needs of residential areas;
3. Protect the health, safety and welfare of residential inhabitants by restricting incompatible land uses;
4. Encourage architectural design and site planning which will preserve the natural character of hillside areas, particularly with respect to topography, vegetation and scenic qualities; and
5. Implement the policies of the San Mateo County General Plan, especially those concerning development in hillside areas.

SECTION 6801. DEFINITIONS.

ONE FAMILY DWELLINGS MODULE

1. One Family Dwellings (1.1.10)

Buildings, one per parcel, containing a single dwelling unit which is intended for use by one household.

2. Mobilehomes (1.9.10)

Transportable buildings which are constructed on a permanent chassis and are intended to be used as dwelling units. Each structure may or may not be on a permanent foundation.

SECOND DWELLING UNITS MODULE

3. Second Dwelling Units (1.2.10)

Attached or detached rental dwelling units with kitchens, each located on the same parcel as a one family dwelling.

RESIDENTIAL ACCESSORY STRUCTURES MODULE

4. Domestic Help Quarters (1.6.10)

Accessory buildings, without kitchens, which provide accommodations for persons employed on the premises by the occupants of a main dwelling unit on the same parcel.

5. Pool Houses and Cabanas (1.6.40)

Detached accessory structures, without kitchens, used for private dressing, bathing or recreational activities.

6. Guest Houses (1.6.30)

Accessory buildings, without kitchens, which provide accommodations for occasional non-paying guests of the occupants of a main dwelling unit on the same parcel.

7. Residential Multi-Purpose Accessory Structures (1.6.50)

Detached accessory structures, without kitchens or bathrooms, which are used for a variety of purposes including workshops, storage sheds, game rooms and greenhouses.

8. Satellite Dish Antennas (8.2.30)

A signal receiving device which is intended to receive television signals from satellites.

9. Temporary Living Facilities During Residence Construction (1.10.10)

Temporary dwelling units such as mobilehomes without permanent foundations, travel trailers or recreational vehicles, which are: (1) located on a parcel of land during the construction or reconstruction of a permanent dwelling unit on the same parcel, and (2) removed prior to the granting of a Certificate of Occupancy for the permanent residence.

RESIDENTIAL ACCESSORY USES MODULE

10. Home Occupations (1.5.10)

Vocations conducted in a dwelling by a resident which are accessory uses incidental to the principal residential use of the dwelling.

11. Keeping of Pets (9.1.10)

The raising or maintaining of domestic animals, including birds, that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than four (4) dogs, or four (4) cats, or any combination of dogs and cats not exceeding a total of four (4) are kept per one-family dwelling unit; and (b) no more than twelve (12) of any other domestic animal, including birds, is kept per one-family dwelling unit. The number of fish, reptiles, birds and other small animals caged indoors shall not be restricted unless they create noise or odor discernable outside the dwelling, or are kept in such a manner as to constitute a nuisance.

12. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than four (4) dogs, or four (4) cats, or any combination of dogs and cats not exceeding a total of four (4); and (b) no more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit, or per business establishment in commercial or industrial zoning districts. The number of fish, reptiles, birds or other small animals caged indoors shall not be restricted unless they create noise or odor discernable outside the dwelling, or are kept in such a manner as to constitute a nuisance.

13. Animal Fanciers

A person, business or entity who keeps at least five (5) dogs, or five (5) cats, or any combination of dogs and cats which totals five (5), not to exceed ten (10)

dogs, or ten (10) cats, or any combination of dogs and cats which totals ten (10) per one-family dwelling unit.

URBAN RESIDENTIAL ANIMAL KEEPING MODULE

14. Catteries

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at catteries include, but are not limited to, grooming, training, and sales of animals and supplies.

15. Kennels

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at kennels include, but are not limited to, grooming, training, and sales of animals and supplies.

URBAN KEEPING OF HORSES

16. The Keeping of Horses (9.1.50)

The raising or maintaining of horses with associated accessory structures such as stables or corrals.

SMALL HOSTELRIES MODULE

17. Small Hostelries (1.7.10)

Facilities that rent five (5) or fewer rooms for the overnight accommodation of paying guests including, but not limited to, rooming houses, boarding houses, tourist homes, country inns, small motels and hotels, and bed and breakfast establishments.

RESIDENTIAL COMMUNITY CARE FACILITIES MODULE

18. Residential Day Care Facilities for Children (Family Day Care Homes) (1.8.11)

Licensed facilities in a building containing a dwelling unit in which non-medical care, protection, and supervision of children are regularly provided in the provider's own home for a period of less than 24 hours a day while parents or

guardians are away. Includes small family day care homes (1 to 6 children) and large family day care homes (7 to 12 children).

19. Residential Full-Time Care Facilities for Children (1.8.12)

Dwelling units in which 24-hour non-medical care and supervision are provided in a licensee's family residence for not more than six (6) children who may or may not have special needs or disabilities.

20. Residential Foster Family Homes (1.8.13)

Dwelling units in which 24-hour non-medical care and supervision are provided in a family setting in a licensee's family residence for not more than six (6) foster children, exclusive of licensee's family members.

21. Residential Day Care Facilities for Adults (1.8.21)

Dwelling units in which non-medical care and supervision are provided to no more than six (6) adults on less than a 24-hour per day basis.

22. Residential Full-Time Care Facilities for Adults (1.8.22)

Dwellings units in which 24-hour a day non-medical care and supervision are provided to no more than six (6) adults.

23. Residential Rehabilitation Facilities (1.8.23)

Dwelling units in which 24-hour a day non-medical care and supervision are provided in a group setting to no more than six (6) adults and/or emancipated minors recovering from drug or alcohol misuse.

24. Residential Day Care Facilities for the Elderly (1.8.31)

Dwellings units in which non-medical care and supervision are provided to no more than six (6) elderly adults, age 62 and over, on less than a 24-hour per day basis.

25. Residential Shared Housing Facilities for the Elderly (1.8.32)

Group housing arrangements for no more than six (6) adults chosen voluntarily by residents who are 62 years of age or older, and who are provided varying levels of supportive services or non-medical care as agreed upon at the time of admission, based upon varying needs.

NEIGHBORHOOD INSTITUTIONAL FACILITIES MODULE

26. Elementary and Secondary Schools (5.1.10)

Public or private educational facilities and associated grounds used for academic instruction below the collegiate level.

27. Religious Facilities (5.2.10)

Facilities or meeting places used for worship and religious instruction including churches, synagogues, mosques and temples.

28. Club and Organization Meeting Facilities (5.3.60)

Facilities used for gatherings of groups primarily for social or political purposes including, but not limited to, social and fraternal clubs and lodges, union halls and philanthropic and charitable institutions.

29. Institutional Day Care Facilities for Children (Day Care Centers) (5.4.11)

Facilities not in a dwelling unit, including infant centers, preschools and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours per day while parents and guardians are away.

30. Institutional Full-Time Care Facilities for Children (5.4.12)

Facilities not in a dwelling unit which provide 24-hour a day non-medical care and supervision to children, who may or may not have special needs or disabilities, in a structured environment with services provided at least in part by employed staff of a licensee.

31. Skilled Nursing Facilities (5.5.21)

Facilities providing 24-hour a day intensive nursing care and supportive health care to inpatients requiring care over a prolonged period of time.

32. Intermediate Care Facilities (5.5.22)

Facilities providing basic health care to inpatients who have intermittent, though not continuous, need for skilled nursing care but need continuous 24-hour a day supportive health care and skilled nursing supervision.

33. Fire Stations (5.7.20)

Facilities used for fire fighting services, sometimes including associated paramedic services.

34. Cemeteries (5.8.10)

Facilities used for the burial of human and pet remains, usually outside.

PARK MODULE

35. Parks (7.2.70)

Spacious areas of scenic and natural character where outdoor active recreation opportunities and facilities may be provided for public convenience and enjoyment, and within which special natural areas, geologic exhibits or historic places can be set aside.

36. Linear Parks and Trails (7.3.30)

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or man-made linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

OUTDOOR SPORTS AND GOLF FACILITIES MODULE

37. Outdoor Sports Facilities (7.2.10)

Outdoor facilities, associated grounds and accessory structures used for active recreation including swimming clubs, tennis clubs, playing fields or similar uses.

38. Golf Courses and Clubs (7.2.31)

Facilities comprising large tracts of land and associated accessory structures laid out for the game of golf including incidental driving range facilities.

NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES MODULE

39. Small Solid Waste Collection Facilities (4.1.41)

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

SECTION 6802. USES PERMITTED.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT*
<p>A. <u>ONE FAMILY DWELLINGS MODULE (RES-1)</u></p> <ol style="list-style-type: none"> 1. One Family Dwellings (1.1.10) 2. Mobilehomes (1.9.10) 	<p>None</p> <p>None</p>
<p>B. <u>SECOND DWELLING UNITS MODULE (RES-2)</u></p> <ol style="list-style-type: none"> 1. Second Dwelling Units (1.2.10) 	<p>None</p>
<p>C. <u>RESIDENTIAL ACCESSORY STRUCTURES MODULE (RES-10)</u></p> <ol style="list-style-type: none"> 1. Domestic Help Quarters (1.6.10) 	<p>None</p>
<ol style="list-style-type: none"> 2. Guest Houses (1.6.30) 3. Pool Houses and Cabanas (1.6.40) 4. Residential Multi-Purpose Accessory Structures (1.6.50) 5. Satellite Dish Antennas (8.2.30) 6. Temporary Living Facilities During Residence Construction (1.10.10) 	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p>
<p>D. <u>RESIDENTIAL ACCESSORY USES MODULE (RES-11)</u></p> <ol style="list-style-type: none"> 1. Home Occupations (1.5.10) 2. The Keeping of Pets (9.1.10) 	<p>None</p> <p>None</p>
<p>E. <u>KEEPING OF PETS MODULE</u></p> <ol style="list-style-type: none"> 1. The Keeping of Pets (9.1.10) 2. Limited Keeping of Pets 	<p>None</p> <p>None</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT*
3. Animal Fanciers	Animal Fancier's Permit
F. <u>URBAN RESIDENTIAL ANIMAL KEEPING MODULE (ANM-3)</u> 1. Catteries 2. Kennels 3. The Keeping of Horses	Kennel/Cattery Permit Kennel/Cattery Permit Stable Permit
G. <u>SMALL HOSTELRIES MODULE (RES-8)</u> 1. Small Hostelries (1.7.10)	Use Permit
H. <u>RESIDENTIAL COMMUNITY CARE FACILITIES MODULE (RES-9)</u> 1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.8.11) 1-6 children 7-12 children 2. Residential Full-Time Care Facilities for Children . . . (1.8.12) 3. Residential Foster Family Homes (1.8.13) 4. Residential Day Care Facilities for Adults (1.8.21) 5. Residential Full-Time Care Facilities for Adults (1.8.22) 6. Residential Rehabilitation Facilities (1.8.23) 7. Residential Day Care Facilities for the Elderly (1.8.31)	None Large Family Day Care Permit None None None None None None

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT*
8. Residential Shared Housing for the Elderly (1.8.32)	None
I. NEIGHBORHOOD INSTITUTIONAL FACILITIES MODULE (INT-1) <ol style="list-style-type: none"> 1. Elementary and Secondary Schools (5.1.10) 2. Religious Facilities (5.2.10) 3. Club and Organization Meeting Facilities (5.3.60) 4. Institutional Day Care Facilities for Children . . . (5.4.11) <ul style="list-style-type: none"> Small Facilities - 1 to 6 persons Large Facilities - 7 to 12 persons 	Use Permit Use Permit Use Permit None Use Permit
<ol style="list-style-type: none"> 5. Institutional Full-Time Care Facilities for Children . . . (5.4.12) <ul style="list-style-type: none"> Small Facilities - 1 to 6 persons Large Facilities - 7 to 12 persons 6. Intermediate Care Facilities (5.5.22) <ul style="list-style-type: none"> Small Facilities - 1 to 6 persons Large Facilities - 7 to 12 persons 7. Skilled Nursing Facilities (5.5.21) <ul style="list-style-type: none"> Small Facilities - 1 to 6 persons Large Facilities - 7 to 12 persons 8. Fire Stations (5.7.20) 9. Cemeteries (5.8.10) 	None Use Permit None Use Permit None Use Permit Use Permit Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT*
J. <u>PARK MODULE (REC-2)</u> 1. Parks (7.2.70) 2. Linear Parks and Trails (7.3.30)	Use Permit Use Permit
K. <u>OUTDOOR SPORTS AND GOLF FACILITIES MODULE (REC-3)</u> 1. Outdoor Sports Facilities (7.2.10) 2. Golf Courses and Clubs (7.2.31)	Use Permit Use Permit
L. <u>NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES MODULE (WMT-1)</u> 1. Small Solid Waste Collection Facilities (4.1.41)	None

*Other permits may be required by a combining district, e.g., Coastal Development Permit or Design Review approval, as identified in Chapters 20B and 28.1.

SECTION 6803. MINIMUM BUILDING SITE. The minimum building site shall be determined in accordance with the following definitions and tables:

- (a) “Contour Interval” shall mean the difference in elevation between adjacent contour lines on a topographical or planimetric map.
- (b) “Average Percent of Slope” shall mean the percent of slope as computed by the following formula:

$$S = \frac{100 \ IL}{A}$$

Where S = average percent of slope; I = contour interval in feet; L = summation of length of all contour lines in feet; A = area in square feet of parcel being considered. In calculating the average percent of slope, any part of the parcel will be excluded from the calculation if the owner so elects; however, if the owner makes this selection then in determining land use densities applicable to the parcel only the land used in the slope calculation shall be used in calculating allowable density. If the owner chooses this option, then land excluded from the calculation of density must remain undeveloped and a deed restriction recorded.

MINIMUM BUILDING SITE	
Average Slope of Parcel (percent)	Minimum Area (square feet)
0 - 17	12,000
18	13,000
19	14,000
20	15,000
21	16,000
22	17,000
23	18,000
24	19,000
25	20,000
26	22,000
27	24,000
28	26,000
29	28,000
30	30,000
31	33,000
32	36,000
33	39,000
34	42,000
35	45,000
36	48,000
37	51,000
38	54,000
39	57,000
40	60,000
41	63,000

MINIMUM BUILDING SITE	
Average Slope of Parcel (percent)	Minimum Area (square feet)
42	66,000
43	69,000
44	72,000
45	75,000
46	78,000
47	81,000
48	84,000
49	87,000
50 and over	90,000

When new divisions of land are proposed, the minimum size of each new parcel shall be based on the average slope of the land within each new parcel proposed in the land division. Areas devoted to public or private roads, rights-of-way, or access easements shall not be included in parcel size calculations.

After land division, if the maximum number of new parcels permitted by average slope measurement is created, a separate document shall be recorded that specifies that newly created parcels cannot be further divided into smaller parcels. If the maximum number is not created, leaving potential for future land division, the applicant must specify in a separate recorded document which parcels will eventually be divided.

SECTION 6804. YARDS REQUIRED. In the “RH” District all buildings shall be located at least 20 feet from the front and rear property lines. Buildings shall also be located so as to maintain a combined side yard setback of 20 feet with a minimum setback on any side of 7-1/2 feet.

Where an existing building has been built with a lesser setback than is required by the foregoing, the Design Review Committee, as part of the Design Review process, may permit a second story to be built with the same setbacks as the ground floor on the existing building where deemed appropriate.

However, if it is determined at any point, by a contractor or Building Inspection Section that the walls and/or foundation are in such substandard condition that they cannot

support a second story without being totally replaced, then all such reconstruction shall meet current setback requirements and this exception would not be applicable.

One of the side yards shall provide a clear, safe, and effective means of access to the back of the parcel. The type of access provided shall be to the satisfaction of the Fire Marshal.

SECTION 6805. BUILDING HEIGHT LIMIT. In the “RH” District, building height shall be limited in accordance with the following:

- (a) Building height at the highest point of the roof shall not exceed 28 feet. Building height shall be measured as the vertical distance from: (1) any point on the natural grade to the topmost point of the building immediately above, or (2) any point on the lowest floor, if the lowest floor is below the natural grade, to the topmost point of the building immediately above.
- (b) Plate height for any portion of a building that extends into the front setback shall not exceed 10 feet. Plate height shall be measured as the vertical distance from: (1) any point on the natural grade to the bottom of the lowest ceiling joist where the framing of the roof begins, or (2) any point on the lowest floor, if the lowest floor is below the natural grade, to the bottom of the lowest ceiling joist where the framing of the roof begins. No second story shall be allowed in any portion of a building that extends into the front setback.
- (c) Chimneys, pipes, mechanical equipment, antennae and other common facilities may extend beyond building height limit up to a maximum of 36 feet as required for safety or efficient operation.

SECTION 6806. LOT COVERAGE. Not more than twenty-five (25) percent of the building site shall be covered by: (1) buildings, (2) accessory buildings, or (3) structures such as patios, decks, balconies, porches, bridges and other similar uses which are eighteen (18) inches or more above the ground.

SECTION 6807. LOT FRONTAGE AND WIDTH. The frontage of all newly created parcels shall be a minimum of fifty (50) feet. In addition, the width of all newly created parcels shall be a minimum of fifty (50) feet at every point along the depth of the parcel. For the purposes of this section, depth shall mean a line drawn between the mid-points of the front and rear parcel lines. Width shall mean the distance between the side parcel lines as measured perpendicularly from the parcels' depth.

SECTION 6808. FLOOR AREA RATIO. The total floor area of all stories of all buildings, and accessory buildings on a building site shall not exceed thirty (30) percent of the total area of the building site or 2,400 sq. ft., whichever is greater.

Floor area specifically includes: (1) the floor area of all stories excluding uninhabitable attics as measured from the outside face of all exterior perimeter walls, (2) the area of all decks, porches, balconies or other areas covered by a waterproof roof which extends four (4) or more feet from exterior walls, and (3) the area of all garages and carports.

Floor Area Ratio will apply only to the following Use Modules: (1) One Family Dwellings, (2) Second Dwelling Units, (3) Residential Accessory Structures, (4) Residential Accessory Uses, (5) Small Hostelryes, and (6) Residential Community Care Facilities. In addition, Floor Area Ratio will also apply to the following uses in the Neighborhood Institutional Facilities Module: (1) Institutional Day Care Facilities for Children, (2) Institutional Full-Time Care Facilities for Children, (3) Intermediate Care Facilities, and (4) Skilled Nursing Facilities.

SECTION 6809. NON-CONFORMING LOTS. A single and separate parcel of land which was a legal building site at the date of adoption of this ordinance shall continue to be a legal building site.

SECTION 6810. GRADING. The amount of grading on a building site may not exceed 1,000 cubic yards. Whenever possible, grading should be kept to a minimum. Grading should be done in a manner that ensures stable soil conditions, minimizes erosion and controls storm runoff.

SECTION 6816. BUILDING PERMIT LIMITATIONS. No more than fifty-five (55) building permits may be issued in any calendar year for the construction of any new residential structure in Emerald Lake Hills. The foregoing limitation shall not apply to replacement of a residential structure, or any portion thereof, which is destroyed by natural disaster, fire, act of God or similar event, or to remodeling of an existing residential structure if the cost of the remodeling is less than fifty percent (50%) of the replacement value of the existing structure. The building permit limitation also shall not apply to a residential structure which is enforceably restricted for sale or rental to very low, lower, or moderate income households, as defined in the Housing Chapter of the San Mateo County General Plan.

(Chapter 35, Sections 6800 through 6815 - Added by Ordinance No. 2560 - January 2, 1979)

(Section 6801.5 - Added by Ordinance No. 3038 - June 18, 1985)

(Section 6801.11, 6801.12, 6801.13, 6801.14, 6801.15, 6801.16 - Amended by Ordinance No. 3447 - December 16, 1992)

(Section 6801.18 - Amended by Ordinance No. 3791 - October 21, 1997)

(Section 6802(E), 6802(F), 6802(G) - Amended by Ordinance No. 3447 - December 16, 1992)

(Section 6802.H(1) - Amended by Ordinance No. 3791 - October 21, 1997)

(Chapter 35, Sections 6800 through 6810 - Amended by Ordinance No. 3192; and
Sections 6811 through 6815 - Deleted by Ordinance No. 3192 - October 24, 1989)
(Section 6816 - Added by Ordinance No. 3194 - October 31, 1989)

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