

CHAPTER 20A. "RM" DISTRICT **(RESOURCE MANAGEMENT DISTRICT)**

SECTION 6310. PURPOSES OF RESOURCE MANAGEMENT DISTRICT. The purposes of this chapter are to carry out the objectives and policies of those San Mateo County General Plan Chapters that fulfill the requirements for State-mandated Open Space and Conservation Elements, as well as other elements adopted as part of the General Plan of San Mateo County, to meet the requirements of Section 65910 of the Government Code of the State of California requiring formulation of an open space zoning ordinance, and to ensure consistency between the General Plan and the zoning ordinance.

SECTION 6311. APPLICABILITY OF RESOURCE MANAGEMENT DISTRICT. The Resource Management District (hereinafter the RM District) shall supplant and replace in name those F-1, A-1, and A-2 Districts that are combined with S-13 and S-11 Districts. The RM District may also be applied to other areas of the County when they are rezoned to such district.

These regulations shall not apply to a building or structure or portion thereof or use of building or land which does not conform to the zoning regulations and which lawfully existed at the time these regulations, with which it does not conform, became effective.

All parcels 5 acres or larger in size which were legally in existence at the time of the enactment of this ordinance shall continue to be legal parcels. Parcels smaller than 5 acres in size shall continue to be legal parcels only if no adjacent property was in the same ownership at the time of enactment of this ordinance, or if a potable on-site water supply had been developed on the parcel at the time of enactment of this ordinance. When such parcels can be aggregated to a minimum of 5 acres, each 5-acre aggregation shall constitute one legal parcel.

SECTION 6312. ELEMENTS OF DISTRICT REGULATIONS. The regulations of this district are included in seven (7) major ordinance elements: (1) Maximum forms of development and type of use, as indicated in Section 6315; (2) Development Review Procedures and Criteria, as indicated in Section 6450; (3) General Review Criteria, as indicated in Section 6324; (4) Supplementary Review Criteria for Primary Resource Areas, as indicated in Section 6325; (5) Supplementary Review Criteria for Special Hazards Areas, as indicated in Section 6326; (6) Primary Resource Areas and Hazard Areas; and (7) the applicable portions of the Zoning District Map, as included in the San Mateo County Zoning Ordinance.

SECTION 6313. DEVELOPMENT REVIEW PERMIT REQUIREMENT. All developments proposed for a location within a RM District shall require the issuance of a permit, pursuant to the Development Review Procedure specified in Chapter 23.

For purposes of Chapters 20A, 20A.2 and 23, but excluding those uses defined below, “development” shall mean the construction of any significant structure on land, or in or under water; the discharge or disposal of any significant dredged material or any gaseous, liquid, solid or thermal waste; the division or subdivision of land into two or more parcels; reconstruction or substantial alteration of any significant structure, including any facility of a private, public or quasi-public utility; and any major removal of vegetation.

Excluded from this definition of development and from Development Review Permits and Procedures are uses defined in Section 6458, and commercial logging which is controlled under regulation of the Timber Harvesting Ordinance, Division 8, Part 1, Chapters 1 through 15 of the San Mateo County Ordinance Code; topsoil operations which are subject to regulations of the County Ordinance Code, Chapter 2, Topsoil Site Regulations, Sections 7701.0 through 7701.11; quarrying operations which are subject to regulation of the County Ordinance Code, Chapter 3, Quarries, Sections 7702.0 through 7702.10; oil and gas well regulations, Sections 7703.00 through 7703.20, and grading and excavating operations which are subject to regulations of the County Ordinance Code, Chapter 8, Regulation of Grading and Excavating Operations, Sections 8600-8614; agricultural utility poles; single pump houses of less than 800 cubic feet in size, fences under 4 feet in height constructed of single wire or open wood rail, necessary repairs or maintenance of existing structures, agricultural uses that did not require a permit prior to adoption of this ordinance, and harvesting and conversion of land for agricultural use, unless said use or land falls within a Primary Wildlife or Primary Natural Vegetative Area, except that vegetation forming a significant part of the viewshed as seen from urban areas or public roads and trails shall be deleted from the definition of Primary Natural Vegetative Areas in consideration of conversion of land for agricultural use.

For purposes of this ordinance, “Significant Structures” shall be defined as a structure for human occupancy or use such as a single-family residence, multiple-family residences, trailer park structures, structures for overnight accommodations, restaurants, churches, private and public club structures, and schools, roads, bridges, public facilities and utilities, non-agricultural utility poles and structures, dams, breakwaters, mineral extraction buildings and constructs, harbors, docking facilities, recreation buildings and facilities, campground structures, dude ranch structures and similar types of structures.

SECTION 6313.1. OFFICERS: GENERAL AREAS OF RESPONSIBILITY.

- (a) The Director of Planning shall be responsible for notifying and furnishing information to interested persons and agencies, for coordination, accumulation and presentation of data to the Planning Commission and Board of Supervisors, for making recommendations relating to the overall design, and for assuring compliance with the provisions of this Ordinance.

- (b) The County Engineer and Road Commissioner shall be responsible for making recommendations pertaining to public and private roads, all such improvements within road rights-of-way including but not limited to storm drainage, sewer, water, traffic control, street lighting and public utilities facilities, and for making recommendations in connection with site development, grading erosion control, and matters related to soil stability and geology of the development. He shall be responsible for the review of reports, final maps and improvement plans required.
- (c) The County Health Officer shall be responsible for: (1) submission of a report stating the recommendations and conditions that must meet the standards and requirements pertaining to water supply, sewage disposal, and other environmental health matters, (2) certification that the quality and quantity of the domestic water supply meets County and State regulations, and (3) final approval of the method of sewage disposal, including consideration of state and local requirements.
- (d) The County fire authorities shall be responsible for making recommendations pertaining to fire prevention and means for protection from fires.
- (e) Officers shall submit their reports to the Director of Planning for submission to the Planning Commission and Board of Supervisors. Each of said officers shall be responsible for making necessary inspections with regard to the matters for which they are responsible to insure compliance with the requirements of this Chapter and the conditions of approval.

SECTION 6314. MAXIMUM PERMITTED DEVELOPMENT. The following provisions relating to use, density and intensity of development ensure that development is consistent with levels of services which reasonably can be provided, will conserve natural features and scenic values, and that areas hazardous to development or life are left in open or limited use. These provisions are maximum limits and, where applicable, more restrictive requirements imposed by the application of review criteria under Chapter 20A.2 shall supersede Sections 6315-6317.

SECTION 6315. PERMITTED USES. The following uses only shall be permitted in the RM District, except those subject to the provisions of Section 6500 which require a Use Permit:

- (a) Agricultural uses and accessory structures, on-site sales of agricultural products.
- (b) Nurseries and greenhouses.
- (c)* Temporary trailer parks and other housing for farm laborers.
- (d) Livestock raising and grazing.

- (e) Dairies.
- (f)¹ Kennels or catteries.
- (g)² Timber harvesting and commercial woodlots, providing that no commercial timber harvesting shall occur within 1,000 feet of any legal dwelling in existence on June 18, 1991, except under the following circumstances:
 - (1) Timber harvesting operations for which all permits had been received on or before June 18, 1991, may complete operations in accordance with the terms and conditions of such permits.
 - (2) Timber harvesting operations may occur within the 1,000-foot buffer zone with prior written approval of the owner of the affected dwelling, subject to the prior recordation of the statement specified in Section 6401.5.
 - (3) Normal forest maintenance may be conducted within the 1,000-foot buffer zone, but shall be limited to: (a) removing dead, dying, or diseased trees and snags; (b) salvaging downed wood; (c) cutting trees for the purposes of developing viewsheds or landscape aesthetics in accordance with other applicable provisions of this Part and of Division VII, San Mateo County Ordinance Code; or (d) clearing for firebreaks, in accordance with requirements of the County Fire Marshal or other applicable fire authority having jurisdiction.

Notwithstanding the above, access roads to the site of timber harvesting operations may be constructed, improved, and used within the 1,000-foot buffer zone. The limitation on harvesting within 1,000 feet of an existing dwelling shall not apply to a dwelling located on the parcel which is proposed for timber harvesting.

For the purpose of this section, the distance from a dwelling shall be measured along the surface of the ground.

- (h)⁴ Quarries and waste disposal sites.
- (i) Single-family residences.
- (j) Multi-family residences.
- (k)* Hotels, motels and restaurants.
- (l)* Churches.
- (m)* Schools.

- (n)* Fire stations.
- (o)* Public and private clubs.
- (p) Public recreation.
- (q)* Commercial recreation, including but not limited to stables and riding academies, golf courses, campgrounds, dude ranches, and motorcycle parks in accordance with adopted policies on motorcycle parks and related facilities.
- (r)³ Oil and gas exploration, production and storage.
- (s) Home occupations.
- (t)* Wineries; provided that the annual storage capacity shall not exceed 10,000 gallons, the annual fermentation capacity shall not exceed 5,000 gallons, and the annual bottling shall not exceed 2,500 cases of wine; the only retail sales permitted will be those of wines produced on the premises.
- (u)* Exotic animals for which a Use Permit has been obtained in accordance with Division III, Part II, Chapter 6 of the San Mateo County Ordinance Code are permitted in addition to those animals otherwise permitted by this Chapter.
- (v)* Scientific/Technical Research and Test Facilities, provided a Use Permit shall only be issued for this use upon the following findings:
 - (1) That the use is of a low-intensity nature with a minimum of permanent construction required, no permanent on-site personnel or permanent on-site vehicles.
 - (2) That the nature of the operation requires an open, isolated, and radio frequency interference-free environment.
 - (3) That no manufacturing or industrial activities are involved.
 - (4) That the size, location and design of any proposed facility as well as level of activity on the site are compatible with the policies of the Local Coastal Program.
 - (5) That the proposed use does not impair existing or potential agricultural uses on the site or on surrounding properties. The applicant shall demonstrate how agriculture will not be impaired, including provisions for leasing portions of the site for agricultural uses.
 - (6) That the proposed use of facility does not create a potential for any health or safety hazard.

- (7) That the applicant for such a facility shall describe the manner in which other users might be accommodated in sharing the proposed facility so as to avoid the duplication of such facilities in the future.
- (w) Keeping of pets in association with a one-family dwelling.
- (x) Limited keeping of pets in association with a second unit, farm labor housing unit or multiple-family dwelling unit.
- (y) Animal fanciers.
- (z)* Veterinary hospitals for small animals.
- (aa)* Veterinary hospitals for large animals.
- (ab)⁵ Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children).
- (ac) Keeping of confined animals.

*Uses allowed subject to a use permit

¹Allowed subject to a kennel/cattery permit

²Allowed subject to timber harvesting permit

³Allowed subject to oil well permit

⁴Allowed subject to quarry permit

⁵Allowed subject to a large family day care permit

SECTION 6316. SECOND DWELLING UNITS. See Chapter 22.5 for provisions to allow second dwelling units to locate in the RM District.

SECTION 6317. MAXIMUM DENSITY OF DEVELOPMENT. In the RM District, for purposes of determining the maximum total number of dwelling units permissible on any parcel, the following system shall be used:

The total parcel shall be compared against the criteria of this section in the order listed. Any segment of a parcel to which a criterion first applies shall be allowed a maximum accumulation of that density. Once considered under a criterion, a segment of the parcel shall not be considered under subsequent criteria. When the applicable criteria have been determined for each of the areas, any portion of the parcel, which has not yet been assigned a maximum density accumulation, shall be assigned a density of one dwelling unit per 5 acres.

The sum of densities accrued under all applicable categories shall constitute the maximum density of development permissible under this section. If the fractional portion of the number of dwelling units allowed is equal to or greater than .5, the total

number of dwelling units allowed shall be rounded up to the next whole dwelling unit. If the fraction is less than .5, the fractional unit shall be deleted.

The provisions of this section will not apply to farm labor housing or other structures considered to be accessory to agriculture under the same ownership.

- (a) On lands falling within a 100-year floodplain as defined by USGS, dwelling units may be accumulated at a maximum of one unit per 40 acres. Where previous actions have eliminated such flood areas, the provisions of this subsection shall not apply.
- (b) For remote lands, defined as those lands over one mile from an existing all-weather through public road, density accumulation shall be limited to one dwelling unit per 40 acres.
- (c) Density accumulation in agricultural preserves or the exclusive Agricultural Districts as defined in the adopted Resource Conservation Area Density Matrix policy, designated for the production of specialty and other crops, shall not exceed one dwelling unit per 40 acres.
- (d) For areas within any of the three least stable categories (Categories V, VI and L) as shown on the U.S. Geological Survey Map MF 360, "Landslide Susceptibility in San Mateo County," density accumulation shall be limited to one dwelling unit per 40 acres.
- (e) All areas located within the rift zone or zone of fractured rock of an active fault as defined by the U.S. Geological Survey and mapped on USGS Map MF 355, "Active Faults," probably active faults, and associated fracture zones in San Mateo County shall be limited to a maximum density accumulation of one dwelling unit per 40 acres.
- (f) That portion of a parcel which has a slope in excess of 50% shall have density accumulation limited to one dwelling unit per 40 acres; that portion of a parcel having a slope in excess of 30% but not exceeding 50% shall have density accumulation limited to one dwelling unit per 20 acres; that portion of a parcel having a slope in excess of 15% but not exceeding 30% shall have density accumulation limited to one dwelling unit per 10 acres. Slope is determined by dividing the change in elevation between contours (lines of equal elevation) by the horizontal distance between the respective contours.
- (g) Lands within the adopted Skyline State Scenic Highway corridors shall be limited to a density accumulation of one dwelling unit per 10 acres.
- (h) Areas designated by the U.S. Department of Agriculture, Soil Conservation Service as Class I or II soils, or Class III soils rated "good" or "very good" for artichokes or Brussels sprouts and within the climatic zone suitable for artichokes

and Brussels sprouts shall be limited to a maximum density accumulation of one dwelling unit per 10 acres.

Any map referenced in this section can be challenged for accuracy. Where maps referenced in this section can be proved inaccurate by more detailed study, the appropriate density accumulation shall be allowed.

SECTION 6317A. CONSERVATION OPEN SPACE EASEMENT. Require, after any land divisions, that the applicant grant to the County (and the County to accept) a conservation easement containing a covenant, running with the land in perpetuity, which limits the use of the land covered by the easement to uses consistent with open space (as defined in the California Open Space Lands Act of 1972 on January 1, 1980). The boundaries of the conservation easement may be modified by the parties for purposes of health, safety and maintenance of the uses allowed at the time of the subdivision provided that the original intent and purposes of the conservation easement are maintained.

The land subject to a conservation easement is that land which is not designated for development under a Master Land Division Plan under the requirements of Chapter 23 (Development Review Procedure). The boundaries between the land designated as a conservation easement and the land available for development shall be chosen, at a minimum, so that improvements allowable at the time of subdivision may be made in areas outside the conservation easement, provided however, that no increase in density credits is implied or created and any development planned under this provision will be subject to the State laws and County regulations in place at the time the development is sought to be implemented. For purposes of Section 6317A, a "land division" does not include:

- (a) A lot line adjustment unless the proposed lot line adjustment will increase the intensity of use or density credits of the master parcel.
- (b) A land division resulting from a transfer of land to a public agency or non-profit organization for public recreation or open space purposes provided that the land acquired by the government agency or non-profit organization is dedicated as public open space or parkland in perpetuity.

SECTION 6318. DEVELOPMENT BONUSES. Where it is demonstrated that a development will further the goals and policies of the Open Space and Conservation Element of the San Mateo County General Plan, increases in the maximum allowable density may be permitted.

- (a) Developments where over 80% of the contiguous and compact parcel area is kept free from alteration (except as required for natural resource management purposes) and held in permanent common open space through appropriate forms of restrictions or public dedication, shall be encouraged by granting a

bonus density of up to 10% beyond that permitted by the provisions of Section 6317.

- (b) An additional bonus of up to 10% shall be granted if one or more of the following criteria are also met:
1. Auxiliary transportation modes will be used either to reduce the total land area devoted to structures and paved surfaces or to preserve areas of special open space value.
 2. Building and site design, structural systems and construction methods will be employed which both reduce the land area to be altered from a natural state and preserve the overall natural appearance and scale of the area.
 3. Housing units will be constructed of a type, price and in a location which would help promote the objectives of the Housing Element of the San Mateo County General Plan.

SECTION 6319A. MAXIMUM HEIGHT OF STRUCTURES. In the RM District, no residential or commercial structure shall exceed three stories or 36 feet in height except as allowed by use permit provisions in Chapter 22, Article 2, Section 6405 of the San Mateo County Ordinance Code.

SECTION 6319B. MINIMUM YARDS. In the absence of more restrictive provisions within this ordinance, the minimum yards required in the RM District shall be as follows:

Front: 50 feet
Side: 20 feet
Rear: 20 feet

Main and accessory buildings shall be located at least thirty (30) feet apart.

(Chapter 20A, Sections 6310 through 6319B - Added by Ordinance No. 2229 - December 20, 1973)

(Section 6310 - Amended by Ordinance No. 3872 - January 19, 1999)
(Section 6312 - Amended by Ordinance No. 3872 - January 19, 1999)
(Section 6313 - Amended by Ordinance No. 2347 - January 20, 1976)
(Section 6313 - Amended by Ordinance No. 3872 - January 19, 1999)
(Section 6315(f) - Amended by Ordinance No. 3449 - December 15, 1992)
(Section 6315(g) - Amended by Ordinance No. 3381 - April 14, 1992)
(Section 6315(t) - Added by Ordinance No. 2340 - April 12, 1977)
(Section 6315(u) - Added by Ordinance No. 2522 - July 18, 1978)
(Section 6315(v) - Added by Ordinance No. 2872 - January 17, 1984)
(Section 6315(w) - Added by Ordinance No. 3449 - December 15, 1992)
(Section 6315(x) - Added by Ordinance No. 3449 - December 15, 1992)

(Section 6315(y) - Added by Ordinance No. 3449 - December 15, 1992)
(Section 6315(z) - Added by Ordinance No. 3449 - December 15, 1992)
(Section 6315(aa) - Added by Ordinance No. 3449 - December 15, 1992)
(Section 6315(ab) - Added by Ordinance No. 3791 - October 21, 1997)
(Section 6315(ac) - Added by Ordinance No. 4075 - November 6, 2001)
(Section 6316 - Added by Ordinance No. 3038 - June 18, 1985)
(Section 6317A - Added by Ordinance No. 4388 - September 11, 2007)

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Section 6310,
San Mateo County
Zoning Regulations:
Resource Management
District (RM)

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