



Questions and Answers (Q & A)

Single Family Home & Tree Regulation Updates Frequently Asked Questions

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Q: What regulations are being updated? ([Back to Top](#))

A: The City is updating regulations for single family home additions, new home construction, and tree protection for the following categories:

- ▶ Single Family Residential Design Review Process
- ▶ Tree Removal Regulations
- ▶ Residential Parking Requirements
- ▶ Secondary Dwelling Units
- ▶ Floor Area/Building Setback Standards

Q: Why modify these regulations? ([Back to Top](#))

A: We are working to better meet the needs of the Belmont community. For many years the City has heard concerns that the regulations for single family residential construction and tree removal are cumbersome and overly restrictive. Oftentimes, property owners are uncertain how to comply with these regulations, and the process can be lengthy and inefficient.

- ▶ Belmont's Zoning Ordinance includes regulations that are outdated, do not address identifiable development impacts, and rely on subjective evaluation criteria.
- ▶ Belmont's Tree Ordinance is too broad, expensive to comply with, and promotes the maintenance of non-native, invasive tree species.

Q: What are the goals of these updates? ([Back to Top](#))

A: The City's goals are to:

- ▶ Establish a fair, objective, and predictable process
- ▶ Expand oversight of projects and ensure adequate design and technical review
- ▶ Facilitate improvements to aging housing stock to meet the needs of growing families
- ▶ Ensure residential projects provide sufficient parking
- ▶ Comply with mandatory State requirements for secondary dwelling units
- ▶ Establish standards for review of tree permits and provide greater protection for healthy, native trees



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Q: Can I comment or get more information on the process? ([Back to Top](#))

A: Yes! The City Council wants your feedback. Public review and comment will occur at every stage of the process. Please join us for an upcoming community meeting at Belmont City Hall on November 18th at 6 p.m. For more information or to provide comments, please visit the project website at www.belmont.gov/remodel.

Q: What is the process for review of these updates? ([Back to Top](#))

A: The City Council introduced amendments to the regulations and identified steps for the review process that include additional outreach (mailing a flyer to all households), community meeting(s), Planning/Parks & Recreation Commission meetings, and City Council hearings.

The Council directed that the regulations should be reviewed by general category, which may occur as follows:

- ▶ Single Family Design Review, General Regulations, Definitions
- ▶ Trees
- ▶ Parking
- ▶ Secondary Dwelling Units
- ▶ Floor Area Cap

Q: What is the timing for the project? ([Back to Top](#))

A: The exact timing for the project will be dependent on how the categories are grouped, and revisions that may occur during the process. In addition, some review categories may move quicker than others, so Public Hearings could be occurring for some categories while other categories are still under review (i.e., the overall process for all of the ordinance amendments may not be linear). In general terms, the process will ideally occur as follows:

1. Mailing flyer and updating website – (Early November 2015)
2. Community Engagement Workshop – (November 18, 2015)
3. Planning/Parks and Recreation Commissions & City Council Hearings – (Early 2016)
4. Completion of modifications - (2016)



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Q: How would the residential construction process known as Single-Family Design Review (SFDR) be changed? ([Back to Top](#))

A: In general terms, the following changes would occur:

a) Three levels (tiers) of SFDR would be established

A tiered system of thresholds, review authority, and project notice for SFDR would be established. There would be three tiers (1-3), and project complexity, and potential project impacts would increase with each Tier:

- ▶ Tier 1 (small ground floor additions with minimal site disturbance)
- ▶ Tier 2 (large ground floor additions and small upper floor additions)
- ▶ Tier 3 (new homes and large second floor additions).

In addition, the scope (time/cost/extent) of the review process would be commensurate with the scope of the project.

b) The number of projects subject to the SFDR process would be increased

Currently, only construction projects with additions over 399 sq. ft. require single family design review. The text amendments would require that all single family home additions receive some level of design review (i.e., review of projects for consistency with design guidelines and SFDR findings).

c) New standards have been created to control building bulk

Residential building projects that include tall wall heights (i.e., walls above 12 feet), vaulted roof lines (roof lines extending above 18 feet), and new upper floor areas have the greatest potential to result in unmitigated building bulk. However, currently there are no specific objective standards to evaluate and regulate upper story building bulk. The updated regulations would provide objective standards for controlling bulk for projects under Tiers 2 and 3. These additional objective standards would be contained in the Residential Design Criteria (RDC). To review the RDC, please see the City's website or click [here](#).

For more information on SFDR, please see the City's website or click [here](#).



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Q: How would single-family setbacks be changed? ([Back to Top](#))

A: The calculation for front setbacks would be simplified, and flexibility would be included to allow for setback encroachments that provide access, and for continuation of non-conforming setbacks.

Front Setback – Calculation

Current regulations require home owners to calculate their front setback in two different ways (*Setback Averaging and right-of-way width*), and use the larger of the two measurements. However, a setback averaging regulation is outdated, and convoluted. Setback Averaging requires that applicants calculate the average front setback within 400 feet on both sides of their property and the same side of the street. The intent of this requirement is for all of the homes on the street to be aligned along similar front setbacks. This provision is more appropriate for large plat subdivisions along straight/flat roads, which is not typically the case in Belmont; the slope and contour of lots in many Belmont neighborhoods are highly variable.

The updated regulations would specify only right-of-way (R-O-W) width as the basis to calculate front setback. A 20-foot front setback would be required for 40-foot wide R-O-Ws, and a 15-foot front setback would be required for 50-foot or wider R-O-Ws. This provision would address the unique roadway and topographic conditions in Belmont, while allowing for a consistent application of front setback requirements. In addition, in areas where the roadway is narrower, homes would still be setback farther from the street, which would assist in reducing the perception of building bulk.

Setback Flexibility

The current regulations require a Variance for front yard structures over six feet in height, and stairs and landings in side yard setbacks. In addition, the ordinance limits the encroachment of entry decks into the required front and rear yard. These provisions result in difficulty providing necessary ingress/egress for occupants.

The updated regulations would allow flexibility for setback encroachments providing access. Stairs/landings meeting minimum building code regulations for width, and driveway bridges for down sloping lots which are necessary to gain site access would be permitted.



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Continuation of Non-conforming Setbacks

The existing regulations prohibit applicants from continuing building lines along non-conforming setbacks, without Variance approval. This prohibition results in additional construction costs and odd floor plan layouts, and does not correct for any identifiable development impact.

The updated regulations would allow continuation of a non-conforming side yard setback, provided that the non-conforming setback is not increased, and a minimum of a five foot setback is maintained for the interior side lot line, and a ten-foot side yard setback is maintained for an exterior side yard setback (street side).

Q: How would the residential parking standards be changed? [\(Back to Top\)](#)

A: To make a comparison, the current and proposed parking regulations are provided below.

Current Regulations

Currently, single family homes in Belmont are required to provide four total parking spaces (two covered and two uncovered). This is not consistent with existing and projected vehicle ownership by household:

- ▶ The 2012 American Community Survey by the US Census Bureau and CLR Search indicate that 66-76% of Belmont households currently have two or fewer vehicles, and 94% of Belmont households have three or fewer vehicles.
- ▶ The Metropolitan Transportation Commission (MTC) vehicle ownership forecast data, projects that average vehicle ownership per household will decrease in San Mateo County from 2010 to 2030, as indicated in the following table.

Average Number of Vehicles per Household by Year – San Mateo County

2000	2010	2020	2030
1.87	1.99	1.97	1.94



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The current thresholds for parking upgrades (four total spaces - two covered in a garage, and two uncovered), are as follows:

- ▶ 600 or more square feet of gross floor area is added to the dwelling
- ▶ Any floor area modification proposed to a home that is currently 3,000 square feet or larger, or that results in a dwelling becoming 3,000 square feet or larger
- ▶ Any floor area modification proposed to a dwelling that currently has four or more bedrooms, or that results in an increase in the number of bedrooms from three or fewer to four or more
- ▶ Two or more bedrooms are being added to such dwelling, regardless of whether any existing bedrooms are eliminated.

The current thresholds for parking upgrades do not relate to specific impacts (i.e., increase in parking demand). For example, 600 sq. ft. non-bedroom additions and modifications that do not change the net number of bedrooms still require a parking upgrade to four total spaces. The current upgrade threshold that any modification to a home of 3,000 sq. ft. or with four or more bedrooms is also not connected to an impact, as floor area or bedrooms may not be added (i.e., kitchen expansions, new bathrooms, and remodeling triggers parking upgrades).

Updated Parking Regulations

The updated regulations would be similar to the existing regulations for new homes or the removal of existing garage spaces of existing homes:

- ▶ New homes would require a total of four parking spaces; two of those parking spaces would need to be in a garage.
- ▶ Existing homes with one or more garage spaces would not be permitted to reduce the number of garage spaces to fewer than two.

However, the updated regulations would generally base single family parking upgrade requirements on vehicle ownership rates and parking demand, and would add flexibility to the requirements for the type, size and location of parking facilities:

- ▶ Existing homes without a covered space would be able to construct a carport for required covered parking.



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- Tandem parking would be allowed
- Existing carports could be used as covered parking
- Uncovered parking spaces would be able to extend into the unused portion of the public right-of-way, provided that they would not obstruct any existing or possible future street improvements that are necessary for public use (i.e., sidewalks, bike lanes, etc.)
- Existing homes with an addition that expands the bedroom count of the principal unit, or adds a second unit, would be required to have the parking spaces specified in the table below:

Addition to Home Results in:	Total Required Parking Spaces	Required Covered Spaces
Five Bedrooms or more	3	1
Four Bedrooms	3	1
Three Bedrooms	2	1
A 2nd unit	+1 up to 4	

Q: What would change for secondary dwelling units? [\(Back to Top\)](#)

A: Second units are currently a permitted use in single family residential districts, and allowed by right (ministerial) under certain conditions (i.e., units under 400 sq. ft.).

Amendments are proposed to comply with mandatory State requirements for secondary dwelling units, and for consistency with the intent of the City’s Housing Element to remove barriers to the creation of affordable housing. Amendments would also occur for consistency with the SFDR tier process and revised parking standards. Key changes to second unit regulations are provided in the following tables.

	Conditional Use Permit (CUP) Required for 2nd units	
Factor	Current Regulations	Proposed Regulations
Lot Size	Under 8,000 sq. ft.	Under 5,000 sq. ft.
Unit Size	Unit greater than 640 sq. ft.	N/A



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Factor	Maximum Size and Number of Bedrooms for 2 nd units	
	Current Regulations	Proposed Regulations
Size Cap	1,200 sq. ft.	1,000 sq. ft.
Percentage of Main Unit	30%	40%
Number of Bedrooms	2	2

The proposed modifications described above would be consistent with state law. In addition, secondary dwelling units would still be evaluated for consistency with all applicable development criteria (setbacks, height, total floor area for the site, etc.), second unit criteria (i.e., design consistency with principal unit, owner occupancy, location of entrance, etc.) and applicable SFDR standards (non-ministerial units).

Q: How would the tree removal regulations be changed? [\(Back to Top\)](#)

A: The current regulations do not contain standards of review on which to base a decision to approve or deny a request to remove a tree as part of a residential remodel or new construction project. The current regulations also protect dead, dying, non-native and invasive trees in equal measure to healthy, native types of trees.

The tree removal regulations (Tree Ordinance) would be largely reorganized. The substantive amendments proposed to the ordinance would include:

- A new definition for protected trees, which would include Heritage Trees, City Trees, Replacement Trees, or Large Diameter Trees. Heritage Trees would be defined as Coast Live Oak, Valley Oak, Redwood, Madrone, Bay Laurel, or Buckeye having a single main stem or trunk of 10 inches or more in diameter at 4.5 feet above grade (DBH). Large diameter trees would be all trees 16 inches or more DBH, with the exception of Eucalyptus, Monterey Pine, Palm, or Acacia.
- Standards for review that include consideration of tree health, species and location.

For more information on Tree Regulations, please see the City’s website or click [here](#).



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Q: How would floor area standards be changed? [\(Back to Top\)](#)

A: Current regulations establish maximum Single-family residential floor area based upon the size and slope of the lot, and cap floor area at 3,500 sq. ft. or 4,500 sq. ft., depending on the residential zone. The proposed regulations would modify the cap to allow floor area up to 5,000 square feet.

Q: How do Belmont’s existing single family home floor area standards compare to other nearby cities? [\(Back to Top\)](#)

A: Belmont was compared to eight cities for a floor area maximum. The survey found:

- All but two cities have no floor area cap; San Mateo has a cap of 6,000 sq. ft. and Burlingame has a cap of 8,000 square feet. Belmont’s existing floor area maximum of 3,500 sq. ft. or 4,500 sq. ft., (depending on zone) is the lowest within the survey group of cities that have a floor area maximum (see tables below).

City	San Carlos	Redwood City	Burlingame	San Mateo
Floor Area Cap	None	None	8,000 sq. ft.	6,000 sq. ft.

City	Millbrae	San Bruno	Menlo Park	Atherton
Floor Area Cap	None	None	None	None

Q: How do Belmont’s existing single family home regulations compare to other nearby cities? [\(Back to Top\)](#)

A: Belmont was compared to four nearby cities for home regulations. The survey found:

- Belmont is the only city within the survey group that does not include objective standards for bulk within the Zoning Ordinance (i.e., daylight plane, second story step back, prescribed articulation, etc.).
- Belmont has no staff level or zoning administrator (ZA) level SFDR, and the lowest threshold for Planning Commission (PC) level SFDR.
- Belmont is the only city within the survey group where SFDR can be triggered by projects with no discernable exterior modifications (i.e., conversion of underfloor space).



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Q: How do Belmont’s existing parking regulations compare to other nearby cities? [\(Back to Top\)](#)

A: Belmont was compared to four nearby cities for parking regulations. The survey found:

- Belmont has the highest parking requirement (4 spaces). All other cities within the survey group require two spaces for homes of up to four bedrooms or 3,749 sq. ft.
- Belmont is the only city within the survey group that calculates parking requirements based upon areas that are already dedicated to parking; San Mateo uses floor area as a threshold, but does not include the garage for these calculations.
- Belmont is the only city within the survey group that requires parking upgrades for projects that do not increase potential parking demand.

City	Parking - New Home (Covered/Uncovered)	Parking Standard Additions
Burlingame	4 Bedrooms = 2 (1/1) 5 Bedrooms = 3 (2/1)	Same – based on resulting # bedrooms
San Mateo¹	3, 000 sq. ft. = 2 (2/0) 3,749 sq. ft. = 3 (2/1) >3,750 (0/1)/750 sq. ft.	Same – based on resulting sq. ft.
San Carlos	New home = 2 (2/0)	Additions allowed w/o parking upgrade if no new dwelling units are added
Redwood City	4 Bedrooms = 2 (2/0) + 0.5/ bedroom (uncovered)	No upgrade req. if home will have no more than 3 bedrooms & 2, 000 sq. ft.
Belmont (Existing)	New Home = 4 (2/2)	<ul style="list-style-type: none"> ○ Add. 600+ SF ○ Any Mods – to home 3,000 sq. ft. or becomes 3, 000; 4 bedrooms or becomes 4 bedrooms ○ Two bedrooms added – regardless of # removed

¹ San Mateo square footage threshold for parking does not count area dedicated to parking.

For more information on these comparisons, please see the City’s website or click [here](#).