

# *City of Brisbane*

## *Planning Commission Agenda Report*

**TO:** Planning Commission For the Meeting of 5/14/09

**FROM:** William Prince, Community Development Director; Tim Tune, Senior Planner; and Ken Johnson, Associate Planner

**SUBJECT:** **Housing Element Update Study Session**—Potential Zoning Alternatives in Response to the Regional Housing Needs Allocation and Changes in State Law

### **BACKGROUND**

At the April 30th meeting, staff provided an overview of the current information on global warming, the federal and state legislative response, the status of the general plan update and a discussion of the relationship of the housing element to these issues, especially in regards to reductions in vehicle miles traveled and green house gas emissions. In addition, staff discussed the changes in housing law, since the housing element was last adopted (2002), provided an initial assessment of the city's capacity to satisfy the RHNA and introduced three alternative potential residential development strategies and several zoning regulation changes that could increase the city's residential land use capacity and satisfy the RHNA.

The state law requires that the housing element include an analysis of the potential for the existing general plan (land use plan) and zoning district regulations to accommodate the Regional Housing Needs Assessment (RHNA) number, including units affordable to the various specified income categories (very low, low, moderate). If the existing plan lacks the capacity to satisfy the RHNA, adjustments must be made to demonstrate that it will. Otherwise, the housing element will not be certified by the state. This analysis is called the "land use inventory" and the "identification of adequate sites," for housing. It should be noted, that this is essentially a "theoretical" exercise, since, typically, the market dictates what gets built over-time and because there is no penalty, if the RHNA numbers are not realized in constructed units, during the housing cycle.

The City's 401 unit RHNA number is composed of 91 very-low income, 66 low income units and 77 moderate income units as well as 167 above moderate (or market rate) units. The very-low, low income categories (157), and moderate income (77) category are considered the "affordable" units and represent a total 234 units out of the 401 (234 + 167). A staff analysis of the city's current land use inventory demonstrates that there is insufficient residential land use capacity to meet the total RHNA number of units (401) and the various affordable income categories of the RHNA (see below).

By general plan law, each land use category in the plan (land use element) is required to have a specific density standard (units per acre or FAR, etc.) so that it is possible to multiply the total amount of land (acreage) designated to each land use category by their specific density standard and arrive at a “theoretical” maximum “build-out” of the plan. In the case of the housing element, the emphasis is on the potential residential build-out, as opposed to commercial or industrial build-out. This number is important to the calculation of the cumulative environmental impacts from a general plan, as well as to demonstrate the potential, in the housing element, to accommodate the RHNA.

As you will recall, general plans are required to be “internally consistent” which essentially means that the data used in the various elements should not be contradictory and that the goals, policies and programs in one element are not inconsistent with those in another. The city’s general plan update is built on an over-arching framework of sustainability and the encouragement of sustainable development, while maintaining the city’s small town character. Key characteristics of sustainable development are reflected in compact growth and transit oriented development which seek to reduce vehicle miles traveled and greenhouse gas emissions that contribute to global warming and sea level rise, with all the negative consequences to the future of the city that implies.

The sites that are identified in the required “identification of sites” are subject to a number of specific housing law requirements to demonstrate the feasibility of developing the affordable housing units, specified by the RHNA. This also applies to the existing capacity (see totals for column A.2 and A.3 and B.2 and B.3 of the tables). Since the current general plan (land use element) does not demonstrate the capacity to accommodate the RHNA numbers, the various options discussed below provide different ways to satisfy these requirements. The state law requirements include:

1. For vacant sites identified, the housing element must analyze the availability of public facilities and to accommodate the development during the planning period.
2. For non-vacant (partially developed) sites, the housing element must explain the additional development potential in terms of ...”the extent to which the existing uses may constitute and impediment to additional residential potential,” given development trends market conditions, regulatory standards and incentives to encourage residential development.
3. Sites identified to accommodate the very low and low-income unit potential, must have a minimum zoning density of at least 20 units per acre, be allowed to develop “by right” (no Use Permit required) and no more than ½ of the affordable units can be located within “mixed-use” zoning districts. Design review is also limited, but this could be addressed with additional general plan policies specific to the design of multi-family units. The remaining need in the very low and low two income categories is 151 units (157 – 6 building permits issued) for this housing element cycle. The remaining need for moderate units is 75 (77-2 building permits issued).

## STAFF ANALYSIS

As a way to “simplify” the analysis of the land use inventory, and to create some alternative ways the city might achieve the additional housing potential (out of the many possible combinations), staff has assembled a set of summary tables. Table H, discussed further below, is an over-view of the existing residential capacity and the additional residential capacity that could be realized, by utilizing the various possible options. It also demonstrates that the City does not currently have the residentially zoned land use capacity to satisfy the total RHNA number or the affordable income categories numbers (see the totals under Recent and Existing Potential columns A.1, A.2, A.3, and B.1, B.2, B.3). This section is repeated on the left hand side of the tables for all the alternatives, because it is part of the total potential for each alternative (see Grand Totals F1, F2 F.3) to meet the RHNA numbers.

The other tables H.A, H.B, H.C describe three somewhat different approaches, any one of which could satisfy all of the RHNA numbers. Table H.D provides additional detail on the rezone sites, if rezoning some of the sites along the edge of Crocker Park were to be considered. In developing of these tables, staff was mindful of the various legal requirements discussed previously.

Table H the “City Wide Options Menu” provides an over-view of the existing “potential” capacity. The totals at the bottom of column A.1 (43 units ) and B.1 (316 units) on the left side of the table, show the building permits that have been issued since the beginning of the current housing element cycle (7/1/08) and the potential capacity under each of the existing zoning categories (left most column, R-1, R-2 etc.). The total of these two numbers (359 units) shows that the existing capacity is insufficient to meet the total RHNA of 401. The other column totals in this part of the table break-out the building permits issued and the total existing capacity into the affordable income categories (Columns A.2 A. and B.2 and B.3). They show that the permits issued thus far in the cycle and the existing residential (zoned) capacity is far from meeting the RHNA affordable categories.

As mentioned before, each of tables (options) repeats the same totals, under “Recent and Existing Capacity” (left side), because it is part of the existing capacity that applies to the grand totals for each alternative. It should be noted, that the smaller numbers in parentheses under the **bolded** numbers in the table “break out” what each of those bolded number consists of, as shown in the title block at the top of that column. In other words, column B.1 shows that under the existing potential of the R-1 zone there is a potential for **52** units (consisting of 32 potential single family units, 10 second dwelling units, 0 from density transfers, 0 multi-family units and 10 additional units), as the result of possible lot splits.

The middle section of all the option tables indicates the “additional potential” that could be realized, from pursuing that option. The tables provide an understanding of how the “theoretical” additional potential density, from each option, could be realized.

The three option tables (H.A, H.B, H.C) break-out the details of the three major options for allocating the additional density. In each option table, the combined potential of the “Recent and Existing Potential” (left side) and the “Additional Potential” (middle section) that the option

would achieve, is shown in the “Grand Total Potential” section on the right side of the table. Also, for reference, the RHNA number, including the numbers for each income category are repeated in the bottom right, below the Grand Total Potential. Finally, the far right hand column provides some additional information on constraints and opportunities related to the particular zoning district areas where the housing units could go.

## **OPTIONS AND ALTERNATIVES**

In the previous staff report, a number of ways (i.e. minimum densities) the City could revise its zoning regulations to accommodate the housing potential required by RHNA, to the satisfaction of HCD, were described. These were summarized in the “List of Potential General Plan, Zoning Ordinance and Map Changes” and organized in Table H., “City-wide Options Menu” (attached).

The three alternatives provide different potential approaches to achieving the RHNA requirements through specific choices from the options menu. Not all of the options were included in the alternatives, but all are up for discussion and may be rearranged into further alternatives. To expand upon these previously provided alternatives:

Alternative A: Changes All within Existing Residential Zoning Districts – This approach looked to meet the RHNA requirements within the existing residential and mixed use districts through a number of means to encourage denser infill development. The focus was to make changes only within those zoning districts where housing is currently allowed, particularly in the areas nearest the City center and available transit (bus stops).

To increase the residential potential of 10 properties in the R-1 District, the Zoning Ordinance would be amended to provide for “modifications” to allow property to be split into sites that meet the minimum lot area standard even if they do not meet the minimum lot dimension standards. The “substandard lot” provisions would be clarified, and the merger ordinance would be updated (Items 1 & 2). Secondary dwelling units would be encouraged in the single-family residential zones by revising the parking requirements (see Items 3, 4, 5 & 6 on the List of Potential General Plan, Zoning Ordinance and Map Changes) and by allowing them on lots less than 5,000 sq. ft. in area but with at least 50 ft. of frontage (Item 7).

The R-2 District would be expanded to include adjoining portions of the R-1 District. Given existing site sizes at the current maximum density of 1 unit per 2,500 sq. ft., this change would essentially convert the potential for secondary dwelling units under the R-1 District zoning into the potential for duplex units under R-2 District zoning. Allowing dwelling groups as a permitted use (see attached list, Item 10) would further blur the difference between duplexes and secondary dwelling units. Alternative A specifically considers using street right-of-way width and multiple means of access as the basis for drawing the new zoning district boundaries (Item 8); although, other approaches are possible.

To have all of the potential units in the R-2 District included in the lower-income-affordable category per State law, the maximum density of 1 unit per 2,500 sq. ft. would be changed to a minimum density of 1 unit per 2,178 sq. ft. (Item 11.A), multiple family dwellings of 7 or more units would no longer require Use Permit approval (Item 9), design review would be limited so

as to comply with Government Code Section 65583.2(i) (Item 36), and the height limit for multiple family dwellings would be increased to 30 ft. to allow 3 stories of development (Item 13). Additional development potential could be gained by specifically allowing 2 units on sites at least 4,356 sq. ft. in area (Item 12.A). This could be further increased by rounding the minimum density off at 1 unit per 2,000 sq. ft. (Item 11.B) and by allowing 2 units on sites at least 4,000 sq. ft. in area (Item 12.B).

The R-3 District would be expanded to bring 4 split-zoned properties entirely into the R-3 District (Item 14) and to include 2 large properties on San Francisco Avenue (Item 15). To have the all of the potential units in the R-3 District included in the lower-income-affordable category per State law, the maximum density of 1 unit per 1,500 sq. ft. would be changed to a minimum density (Item 16), design review would be limited so as to comply with Government Code Section 65583.2(i) (Item 36), and the height limit for multiple family dwellings would be increased to 30 ft. to allow 3 stories of development (Item 18). Additional development potential could be gained by specifically allowing 3 units on sites at least 4,500 sq. ft. in area (Item 17.A). This could be further increased by rounding the minimum density off at 1 unit per 2,000 sq. ft. (Item 11.B) and by allowing 3 units on sites at least 4,356 sq. ft. in area (Item 17.B).

The portion of the R-BA District from Thomas Avenue (where the R-3 District currently ends as a row of apartment buildings) to Joy Avenue (where the Joy Avenue condominium complex is located) would be rezoned to allow multiple family residential development at a minimum density of 1 unit per 2,178 sq. ft., excluding 40% of the area to be protected as butterfly corridors and restored habitat (Item 22.A). Credit could be given for any off-site open space dedication in the upper Brisbane Acres.

Alternative B: Primarily Rezoning Selected Crocker Park Sites + R-1 and R-3 Zoning Text Amendment – The focus of this alternative was to keep the changes within the existing residential zoning districts to a minimum, while focusing on a few key sites that are currently in the TC-1 Crocker Park Trade Commercial District that would serve to complete the “village” around the “village green” known as the Community Park. This would provide not only housing but also certain amenities to the City in terms of public space and shopping. Specifically, the partially vacant property at 125 Valley Drive would be rezoned to allow mixed use, and the 2 parcels at 91 and 105 Park Lane, located across Old Quarry Road from the existing R-2 District, would be rezoned as multi-family residential. See the attached Table H.D for details regarding the potential for housing in Crocker Park.

To have the potential units included in the lower-income-affordable category per State law, the residential use would have to be “by right” (not subject to Use Permit or Planned Development Permit approval) with limited design review. In that case, the City would want to set strict standards on how this development would look and what amenities would be provided along with the development (a 25% dedication to public space is suggested). Controlling the look and function of this new district could potentially be accomplished through the required compliance with General Plan policies and programs and through very specific development standards in the zoning ordinance.

This alternative would be reflected in the "List of Potential General Plan, Zoning Ordinance and Map Changes" as variations of Items 34 & 35 (also see Items 36 & 45):

34.A [Housing Element Programs H1a(6), H4a(3) & H5b]: Rezone 91 Park Lane (APN 005-202-200) and 105 Park Lane (APN 005-202-150) within a new residential zoning district with a minimum density of 1 unit per 2,178 sq. ft. (20 units per acre) and a maximum density of 1 unit per 1,500 sq. ft. (29 units per acre), a height limit that would easily accommodate 3 stories with an elevator (35-40 ft.), and specific development regulations in lieu of typical design review (to qualify under AB 2348):

35.A [Housing Element Programs H1.1a & H2d(3)]: Adopt a mixed use overlay zone atop 125 Valley Drive (APN 005-212-130) within the TC-1 District to permit residential use at a minimum density of 1 unit per 2,178 sq. ft. (20 units per acre) (to qualify under AB 2348):

Two changes within the existing residential districts included in this alternative were (1.) setting a minimum density of 1 unit per 2,178 sq. ft. in the R-3 District with no change to the maximum allowed density of 1 unit per 1,500 sq. ft. (see above) and (2.) the zoning text change in the R-1 District to allow development of 10 properties that are of standard size (at least 5,000 sq. ft.) but substandard dimensions due to odd shapes (other than 50 ft. by 100 ft.) without having to obtain variances (Items 1 & 2).

Alternative C: Changes to Selected Residential Districts and Rezoning 125 Valley Drive, 25 Park Place and 43 Park Place – The focus of this alternative was primarily to achieve the RHNA numbers by making changes within the existing residential districts, without going to the extent of Alternative A, and by rezoning the property at 125 Valley Drive for mixed use. The same strict standards would be needed for the mixed use development as noted in Alternative B. Where Alternative B was weighted toward more changes through rezoning portions of Crocker Park, Alternative C was weighted toward more changes within the existing residential districts, without going so far as Alternative A. Unlike Alternative A, it did not include changes to the R-BA District and limited the area of the expanded R-2 District to Alvarado, Mendocino and Monterey Streets east of San Bruno Avenue ("Blocks 1-3").

## **POLICIES AND PROGRAMS**

Of the potential policies and programs included in the list presented to the Planning Commission at the 4/30/09 meeting, a number are proposed to meet the requirements of State law, regardless of the alternative chosen:

27. [Housing Element Program H2a]: Revise the SCRO-1 District regulations to include convalescent homes as a conditional use.

28. [Housing Element Programs H2h & H4a(3)]: Revise the SCRO-1 District regulations to include emergency shelters as a permitted use (within 1 year of adoption of the Housing Element as required by SB2). Exempt emergency shelters in the SCRO-1 District from design review. Adopt objective development standards for emergency shelters that address: maximum number of beds or persons permitted to be served nightly by the facility, off-street parking based on

demonstrated need similar to other residential uses, size and location of exterior and interior on-site waiting and client intake areas, provision of on-site management, proximity to other emergency shelters (cannot be required to be more than 300 ft. apart), length of stay (consistent with financing programs or 6-month limit per Health and Safety Code Section 50801), lighting, and security during hours that the emergency shelter is in operation (the development standards for emergency shelters would otherwise be the same as for residential and commercial uses within the SCRO-1 District).

29. [Housing Element Program H1e]: Amend the definition of “dwelling” in BMC Section 17.02.235 to specifically include “transitional housing” and “supportive housing” as examples (per SB 2), along with “manufactured housing and mobilehomes” (per 1999-2006 Housing Element Program H1e).

30. [Housing Element Program H1e]: Amend the definition of “hotel” in BMC Section 17.02.420 to include “supportive housing single-room occupancy units” and continue to allow hotels as a conditional use in the SCRO-1 District (per AB 2634).

52. [Housing Element Program H2h]: Adopt an off-street parking standard for emergency shelters “...based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone” [per Government Code Section 65583(a)(4)(ii)].

53. [Housing Element Program H1a]: Complete any necessary rezoning to provide adequate sites to accommodate the RHNA numbers no later than 3 years after either the date the housing element is adopted or the date that is 90 days after receipt of comments from HCD, whichever is earlier [per Government Code Section 65583(c)(1)(A)].

Several others would be considered applicable across the board to all of the alternatives, including Items 1 & 2 regarding lot standards, Item 3 regarding residential parking standards, Items 10 & 48 regarding dwelling groups, Items 14 & 24 regarding split zoning, Items 19 & 20 regarding density transfers and Item 23 regarding density bonuses. Changes to the SCRO-1 District regulations to encourage multiple family housing (Items 15, 16, 31 & 32) would also be included in all of the alternatives. Also included would be those items (36 through 47 and 51) regarding amending the Zoning Ordinance to comply with Government Code Section 65583.2(i)'s limitations on design review for affordable housing, as well as Item 49 (height limits), Item 50 (small town character), and Item 54 (consistent unit density designations).

## **POLICY AND PROGRAM REVIEW**

Finally, the Planning Commission will also have to review the changes proposed to the Housing Element's policies and programs described in the matrix, attached.

Attachments:

~~-Revised Tables H, H.A., H.B. & H.C.~~ *Superseded*

- ~~Table H.D., Detail of Crocker Park Potential Housing Units by Zoning Map and Text Amendments~~
- ~~Figure H.1, Crocker Park New Housing Potential~~
- Revised List of Potential General Plan, Zoning Ordinance and Map Changes
- ~~Housing Element Policy and Program Matrix (work sheet)~~ Superseded
- City of Brisbane Transit Locations Map
- Baylands Contamination Map



## List of Potential General Plan, Zoning Ordinance and Map Changes

1. [Housing Element Program H1b]: Amend the Zoning Ordinance to provide a permit process parallel to the modification permitted in the Subdivision Ordinance (Brisbane Municipal Code Section 16.36.040) to allow property to be split into sites that meet the minimum lot area standard even if they do not meet the minimum lot dimension standards.
2. [Housing Element Program H1c]: Clarify the 'substandard lot' provisions of the Zoning Ordinance, and update the merger ordinance.
3. [Housing Element Programs H1d & H4a(1)]: Revise the residential parking requirements so as to be based upon floor area and/or number of bedrooms, consistent for single-family dwellings, secondary dwelling units, duplexes and multi-family dwelling units.
4. [Housing Element Program H1d & H4a(1)]: Revise the parking requirements to identify a unit size for which only 1 parking space (standard-size, uncovered, off-street) would be required.
5. [Housing Element Programs H1d & H4a(1)]: Revise the parking requirements for secondary dwelling units to accept off-street parking spaces, instead of requiring that all parking be provided on site.
6. [Housing Element Program H1f]: Publicize the changes to the parking requirements for secondary dwelling units, so as to encourage more production of such units.
7. [Housing Element Program H1d]: Revise the 5,000 sq. ft. minimum lot size for secondary dwelling units in the R-1 District to also allow them on sites with at least 50 ft. of street frontage. Consider reducing the 1,000 sq. ft. maximum floor area limit for secondary dwelling units on sites less than 5,000 sq. ft. in area in proportion to the ratio of the size of the lot compared to the R-1 District's 5,000 sq. ft. standard.
8. [Housing Element Program H1a(1)]: Expand the boundaries of the R-2 District to include streets with 50 ft. wide rights-of-way, but excluding those portions of these streets that are more than 500 ft. from an intersection with a street or alley that would provide an additional means of access.
9. [Housing Element Program H1a(1)]: Revise the R-2 District regulations to allow multiple family dwellings as a permitted use, and no longer require Use Permit approval for multiple family dwellings containing seven or more units (to qualify under AB 2348).
10. [Housing Element Programs H1a(1) & H4a(4)]: Amend the R-2 and R-3 Districts regulations to allow dwelling groups (as defined by Brisbane Municipal Code Section 17.02.240) as a permitted use.

11. [Housing Element Program H1a(1)] ALTERNATIVE A: Revise the R-2 District regulations to adopt a minimum density of 1 dwelling unit per 2,178 sq. ft. (to qualify under AB 2348).

ALTERNATIVE B: Revise the R-2 District regulations to adopt a minimum density of 1 dwelling unit per 2,000 sq. ft.

12. [Housing Element Program H1a(1)] ALTERNATIVE A: Revise the R-2 District regulations to allow 2 units on sites at least 4,356 sq. ft. in area.

ALTERNATIVE B: Revise the R-2 District regulations to allow 2 units on sites at least 4,000 sq. ft. in area.

13. [Housing Element Programs H1a(1), H4a(2) & H5b]: Revise the height limit in the R-2 District to 30 ft. for developments with 3 or more units.

14. [Housing Element Program H1a(2)]: Expand the boundaries of the R-3 District to include all of the following split zoned properties:

- 43 Alvarado Street (APN 007-233-060)
- 298 San Bruno Avenue (APN 007-284-240)
- 312 San Bruno Avenue (APN 007-332-060 & -080)
- 285 Alvarado Street (APN 007-363-050)

15. [Housing Element Program H1a(2)]: Expand the boundaries of the R-3 District to include the following properties over 5,000 sq. ft. in area:

- 49 San Francisco Avenue (APN 007-233-020 & -030)
- 55 San Francisco Avenue (APN 007-233-010)

16. [Housing Element Program H1a(2)]: Revise the R-3 District regulations to adopt a minimum density of 1 dwelling unit per 1,500 sq. ft. (at least 2,178 sq. ft. to qualify under AB 2348).

17. [Housing Element Program H1a(2)]: ALTERNATIVE A: Revise the R-3 District regulations to allow 3 units on sites at least 4,500 sq. ft. in area (currently 4,950 sq. ft.).

ALTERNATIVE B: Revise the R-3 District regulations to allow 3 units on sites at least 4,356 sq. ft. in area (currently 4,950 sq. ft.).

18. [Housing Element Programs H1a(2), H4a(2) & H5b]: Revise the height limit in the R-3 District to 30 ft. for developments with 3 or more units.

19. [Housing Element Program H18b]: Clarify the R-BA District's density transfer provisions so that if multiple properties are acquired for dedication as open space through density transfer, the combined area would be used to calculate the number of transfer units, not each property individually (BMC Section 17.12.050.A.1).

20. [Housing Element Program H18b]: Clarify the R-BA District's density transfer provisions to recognize the density transfer value of undeveloped "paper streets" in the upper Brisbane Acres, once it can be established that they are not subject to claims of access rights by necessity from any remaining private property owners in the upper Brisbane Acres, even though the Open Space Plan did not specifically designate them as having open space value (BMC Section 17.12.050.A.2).

21. [Housing Element Program H1a(3)]: ALTERNATIVE A: Rezone the properties at the end of Santa Clara Street in the R-BA District to a density similar to the R-1 District, taking into account compliance with the HCP's goal of protecting 40% of the Brisbane Acres administrative parcel as conserved habitat (including butterfly corridors to connect to existing grassland habitat on the City's property above Bayshore Boulevard and the continued possibility of dedicating open space off-site in the upper Brisbane Acres) and provision of public right-of-way for circulation improvements.

ALTERNATIVE B: Revise the R-BA District's density transfer ratio as a sliding scale, so that the first 20,000 sq. ft. of dedicated open space would equal 1 dwelling unit, every additional 20,000 sq. ft. would equal 2 more units.

22. [Housing Element Programs H1a(3) & H18b]: ALTERNATIVE A: Rezone the properties on Thomas Avenue and Joy Avenue in the R-BA District to a minimum density of 1 unit per 2,178 sq. ft., taking into account compliance with the HCP's goal of protecting 40% of the Brisbane Acres administrative parcel as conserved habitat (including butterfly corridors to connect to existing grassland habitat on the City's property above Bayshore Boulevard and the continued possibility of dedicating open space off-site in the upper Brisbane Acres) and provision of public right-of-way for circulation improvements.

ALTERNATIVE B: Revise the proposed General Plan program encouraging clustering to allow the permitted single-family units to be clustered as a multi-family development without increasing the currently permitted dwelling unit density.

23. [Housing Element Programs H2f, H7a & H11g]: Amend the Affordable Housing Ordinance (BMC Chapter 17.31) to permit the City to grant a proportionately lower density bonus and/or incentives for affordable housing projects that do not qualify under Government Code Section 65915 due to their small size or other limitations, as well as to grant a density bonus and/or other incentives greater than required for projects that meet or exceed the qualifications for a density bonus (as provided by AB 2280).

24. [Housing Element Program H1a(4)]: Expand the boundaries of the NCRO-2 District to include all of the following split zoned properties:

- 3 Inyo Street (ptn. of APN 007-221-180)
- (330) Mariposa Street (APN 007-221-160 & 007-221-020)
- (335) Mariposa Street (APN 007-271-060 & -070)
- (348) Monterey Street (APN 007-281-100)
- (4--) Mendocino Street (APN 007-272-230)
- (331) Mendocino Street (APN 007-321-060)

25. [Draft General Plan Program LU.59a & Housing Element Program H2h]: Revise the SCRO-1 District regulations to permit multi-family housing (including mobilehome parks) and emergency shelters as permitted uses and to conditionally permit commercial uses that would be compatible with residential uses, as well as single-family residences and convalescent hospitals. Revise the setback requirements to reflect R-3 District standards for residential uses, while specifying appropriate setbacks for commercial uses.
26. [Housing Element Programs H2d(2) & H4a(4)]: Revise the SCRO-1 District regulations to make dwelling groups a permitted use (instead of a conditional use).
27. [Housing Element Program H2a]: Revise the SCRO-1 District regulations to include convalescent homes as a conditional use.
28. [Housing Element Programs H2h & H4a(3)]: Revise the SCRO-1 District regulations to include emergency shelters as a permitted use (within 1 year of adoption of the Housing Element as required by SB2). Exempt emergency shelters in the SCRO-1 District from design review. Adopt objective development standards for emergency shelters that address: maximum number of beds or persons permitted to be served nightly by the facility, off-street parking based on demonstrated need similar to other residential uses, size and location of exterior and interior on-site waiting and client intake areas, provision of on-site management, proximity to other emergency shelters (cannot be required to be more than 300 ft. apart), length of stay (consistent with financing programs or 6-month limit per Health and Safety Code Section 50801), lighting, and security during hours that the emergency shelter is in operation (the development standards for emergency shelters would otherwise be the same as for residential and commercial uses within the SCRO-1 District).
29. [Housing Element Program H1e]: Amend the definition of “dwelling” in BMC Section 17.02.235 to specifically include “transitional housing” and “supportive housing” as examples (per SB 2), along with “manufactured housing and mobilehomes” (per 1999-2006 Housing Element Program H1e).
30. [Housing Element Program H1e]: Amend the definition of “hotel” in BMC Section 17.02.420 to include “supportive housing single-room occupancy units” and continue to allow hotels as a conditional use in the SCRO-1 District (per AB 2634).
31. [Housing Element Program H2d(2)]: Replace the Subregional/Commercial/Retail/Office land use designation for the Southwest Bayshore subarea in the 1994 General Plan with some type of Residential Mixed Use designation that emphasizes multi-family residential over commercial uses as part of the mix and that limits commercial uses to those that would be compatible with housing.
32. [Housing Element Program H2d(2)]: Revise the SCRO-1 District’s side setback requirement to reflect the R-3 District setback requirements for residential uses and the TC-1 District setback for commercial uses, with exceptions possible through Use Permit approval.

33. [Housing Element Programs H1.1a & H1a(5)]: Amend the General Plan to include residential uses as a potential component of a mixed use development in the Northwest Bayshore subarea, subject to the requirements that the units be clustered to maximize open space (per draft General Plan Policy LU.73), that the residential development include sidewalks, bus shelter(s), bike lanes and any other appropriate transit/pedestrian oriented features (per draft Policy LU.78), and that the residential development be designed to preserve, protect and enhance the natural arroyos and swales in the subarea (per draft Policy LU.83).

34. [Housing Element Programs H1a(6), H4a(3) & H5b]: Rezone portions of the TC-1 District as a new residential zoning district with a minimum density of 1 unit per 1,500 sq. ft., a height limit that would easily accommodate 3 stories with an elevator (35-40 ft.), and specific development regulations in lieu of typical design review (to qualify under AB 2348):

91 Park Lane (APN 005-202-200)

105 Park Lane (APN 005-202-150)

99 North Hill Drive (APN 005-260-250)

35. [Housing Element Programs H1.1a & H2d(3)]: Adopt a mixed use overlay zone atop portions of the TC-1 District to permit residential use at a minimum density of 1 unit per 2,178 sq. ft. (to qualify under AB 2348):

125 Valley Drive (APN 005-212-130)

25 Park Lane (APN 005-212-100)

43 Park Lane (APN 005-202-160)

280 Old County Road (APN 005-202-210)

36. [Housing Element Program H4a(3)]: Amend the Design Permit provisions applicable to multiple family dwellings so as to comply with Government Code Section 65583.2(i); adopt objective, quantifiable development standards in the applicable districts to non-subjectively address concerns that would otherwise be taken care of through discretionary design review approval; and amend the Design Permit subsections under the applicable zoning district chapters to clarify that any design review for those districts intended to accommodate affordable housing would comply with the restrictions set by AB 2348.

37. Adopt a new program under draft General Plan Policy LU.7: “In districts intended to accommodate affordable housing, amend the development regulations to include objective, quantifiable standards to address building scale, mass, placement, architecture, materials, landscaping and screening of equipment, such as graduated height limits or detailed articulation requirements (in lieu of discretionary design review approval).” [also see Housing Element Program H4a(3)]

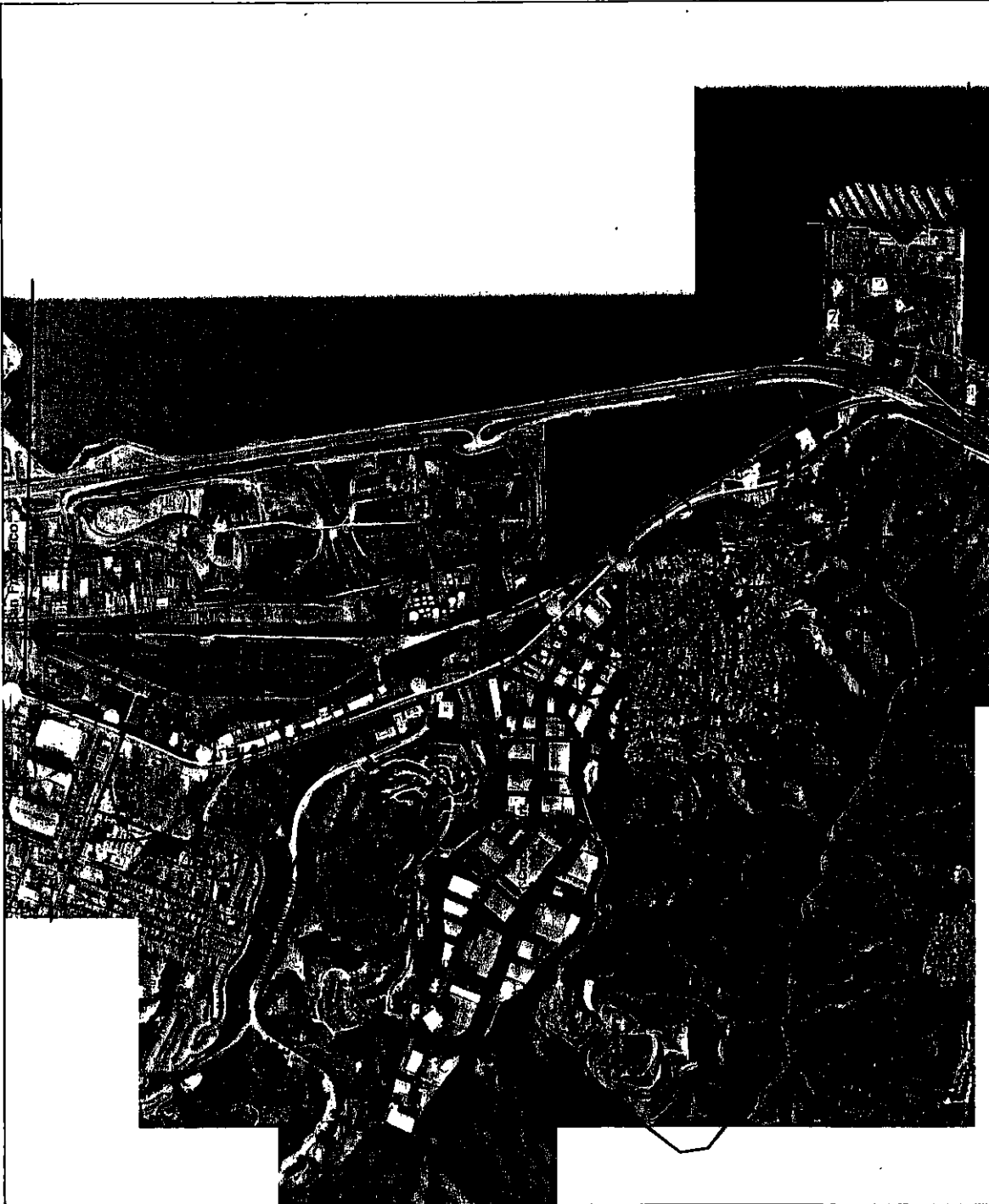
38. Adopt a new program under draft General Plan Policy LU.14: “In districts intended to accommodate affordable housing, amend the development regulations to include objective, quantifiable standards to assure that new multi-family residences relate to existing development on adjoining properties in terms of the scale of their facades as seen from the street (in lieu of discretionary design review approval).” [also see Housing Element Program H4a(3)]

39. Revise draft General Plan Program LU.16b to read: “Adopt development regulations to require that each residential building in a single-family residential subdivision or a multiple family dwelling group differ from any adjoining unit in at least 3 of the following ways:  
Building color;  
Exterior siding materials;  
Roofing color;  
Window size and placement;  
Entryway location;  
Garage location.”
40. Adopt a new program under draft General Plan Policy LU.17: “In districts intended to accommodate affordable housing, amend the development regulations to include objective, quantifiable standards to implement this policy (in lieu of discretionary design review approval).” [also see Housing Element Program H4a(3)]
41. Revise draft General Plan Policy LU.18 to read: “Consider establishing design guidelines for multi-family and commercial development in the appropriate subareas and require that new development projects comply with the adopted design guidelines.”
42. Adopt a new program under draft General Plan Policy LU.18: “In districts intended to accommodate affordable housing, amend the development regulations to include objective, quantifiable standards to implement this policy (in lieu of discretionary design review approval).” [also see Housing Element Program H4a(3)]
43. Expand draft General Plan Program LU.19a: “Consider amendments to the Zoning Ordinance which contain clear and defined standards to protect creativity and diversity in design while addressing issues of height, scale, mass and articulation. In districts intended to accommodate affordable housing, provide at least a 30 ft. height limit for buildings with 3 or more units to comply with the accessibility requirements of California Title 24.” [also see Housing Element Programs H4a(3) & H5b]
44. Expand draft General Plan Program LU.19c: “Clarify the design permit requirements for remodeling existing multi-family residential and commercial structures. In districts intended to accommodate affordable housing, require only ministerial design review.” [also see Housing Element Program H4a(3)]
45. Expand draft General Plan Program LU.19f: “Establish height limits for new zoning districts, taking into consideration the geology and topography of the area, as well as impacts to adjacent uses. In districts intended to accommodate affordable housing, provide at least a 30 ft. height limit for buildings with 3 or more units to comply with the accessibility requirements of California Title 24.” [also see Housing Element Program H5b]
46. Adopt a new Program under draft General Plan Policy LU.45: “In districts intended to accommodate affordable housing, amend the development regulations to include objective, quantifiable standards to implement this policy (in lieu of discretionary design review approval).” [also see Housing Element Program H4a(3)]

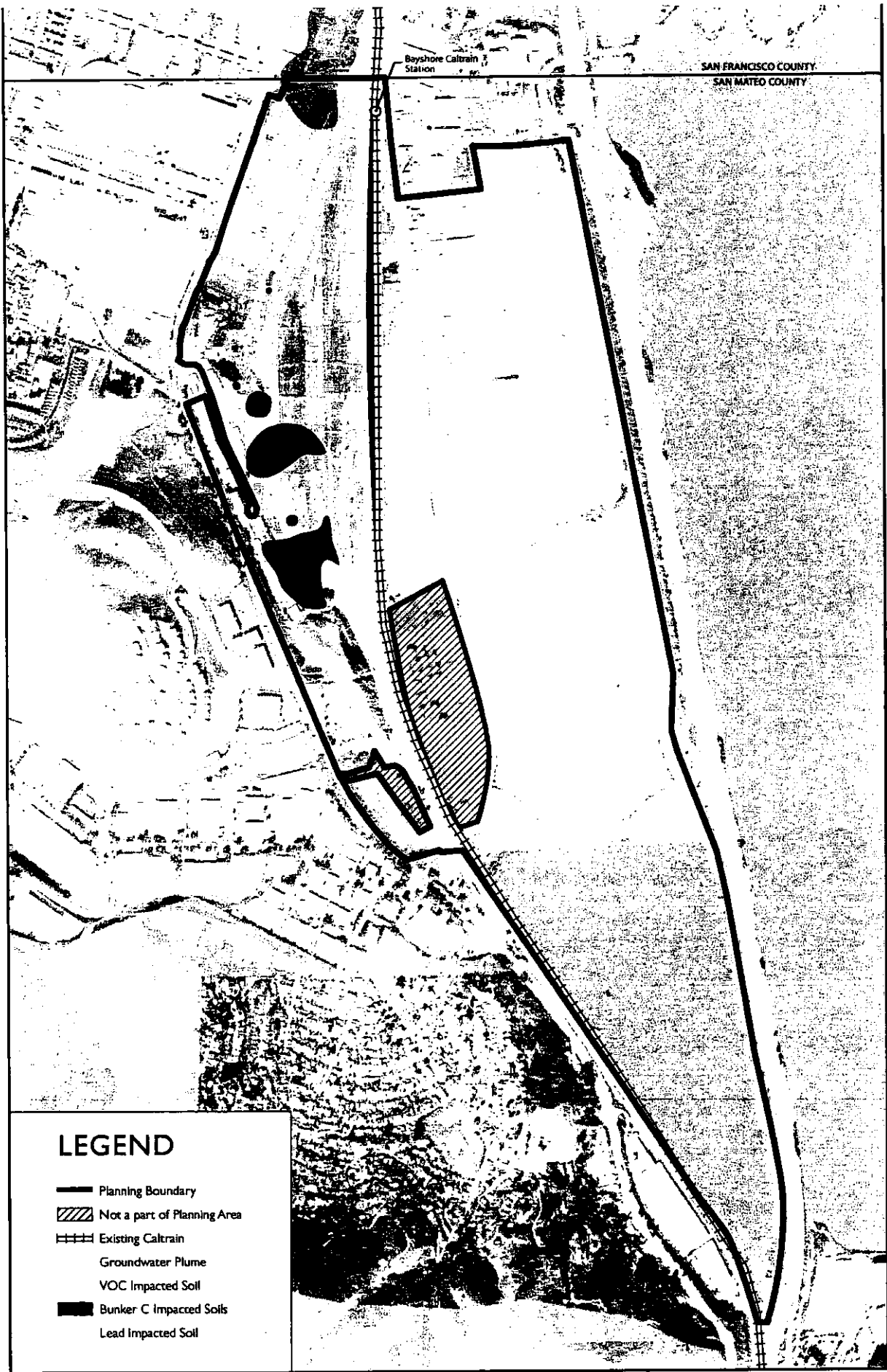
47. Relocate and incorporate draft General Plan Program LU.18a into draft Program LU.45a, which would then be revised to read: “Review and revise the Downtown Neighborhood Commercial District Design Guidelines, as appropriate, to improve the quality of architectural and site design, while reflecting the desired architectural vernacular for commercial and mixed-use buildings, and to address all appropriate design concerns including, but not limited to, the building street edge, pedestrian facilities and amenities (including width of sidewalks) parking, transit and bicycle facilities.”
48. Revise draft General Plan Program LU.47a: “Amend the multi-family residential districts regulations to allow dwelling groups (as defined by Brisbane Municipal Code Section 17.02.240) as a permitted use.” [also see Housing Element Program H4a(4)]
49. Expand draft General Plan Program LU.48b: “Identify criteria for height limit exceptions up to 35 feet for multi-family residential and commercial development in Central Brisbane. In districts intended to accommodate affordable housing, provide at least a 30 ft. height limit for buildings with 3 or more units to comply with the accessibility requirements of California Title 24.” [also see Housing Element Program H5b]
50. [Housing Element Policy H16, based upon draft Policy LU.47]: Retain the small town character of existing residential neighborhoods, while allowing for increased housing density appropriate to the multi-family residential districts.
51. [Housing Element Program H2h, also see Program H17a]: Amend the Design Permits chapter of the Municipal Code to include the findings required by Government Code Sections 65589.5(d), (i) & (j) & 65583.2(i) in order to deny a proposed housing development for very low, low or moderate-income households or a proposed emergency shelter or to condition approval in a manner that renders such a project infeasible.
52. [Housing Element Program H2h]: Adopt an off-street parking standard for emergency shelters “...based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone” [per Government Code Section 65583(a)(4)(ii)].
53. [Housing Element Program H1a]: Complete any necessary rezoning to provide adequate sites to accommodate the RHNA numbers no later than 3 years after either the date the housing element is adopted or the date that is 90 days after receipt of comments from HCD, whichever is earlier [per Government Code Section 65583(c)(1)(A)].
54. [Housing Element Program H19a]: Revise the General Plan’s residential land use designations to reflect the net acre density (excluding land area devoted to public rights-of-way for streets and utilities) to be consistent with all residential zoning districts to be revised per the Housing Element.

Figure 1  
 City of Brisbane  
 Transit Locations Map

- CalTrain (Bayshore Station)
- Park & Ride Lot
- SamTrans Bus Stop
- San Francisco Muni-Metro (outside Brisbane)
- CalTrain Line
- SamTrans Bus Line
- Shuttle Bus Line

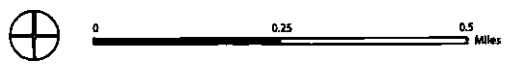






**LEGEND**

- Planning Boundary
- ▨ Not a part of Planning Area
- ⊞ Existing Caltrain
- Groundwater Plume
- VOC Impacted Soil
- Bunker C Impacted Soils
- Lead Impacted Soil



**DYETT & BHATIA**  
 Urban and Regional Planners

**Brisbane Baylands**  
 Contamination

H-1.37