

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 4/30/09

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

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

INTRODUCTION: The California Department of Housing and Community Development requires that, by the end of June, the Housing Element must be updated for the 2006-2014 planning period. The update must demonstrate how the City will comply with the requirements of State law, including the latest Regional Housing Needs Allocation (RHNA). In addition, the Housing Element update should assure that the Housing Element and the rest of the General Plan remain consistent with one another. As the draft General Plan update notes in the introduction to the Land Use & Subareas chapter, "*...information collected during the review of the housing element informs the land use element about the amount of land that should be allocated, at various densities, to meet the housing needs for all socio-economic levels in the community, over a given period of time.*"

NEW HOUSING ELEMENT REQUIREMENTS: Since the 1999-2006 Housing Element was adopted in 2002, a number of changes in State law have been enacted--

Sites Inventory: **Assembly Bill (AB) 2348 (Mullin 2004)** amended Government Code Section 65583.2 to require a more detailed inventory of sites to accommodate the City's Regional Housing Needs Allocation (RHNA). The total housing unit capacity of each site identified in the Housing Element must be based upon the minimum (not maximum) density required by zoning. If there is no minimum density, then the City must demonstrate how the number of units determined for that site will be accommodated, given any constraints imposed by land use controls, building codes, required site improvements, permit processing procedures and so on. For existing underdeveloped sites, the extent to which existing uses may constitute an impediment to additional residential development must also be considered.

To accommodate the housing need for lower (low, very low and extremely low) income households, AB 2348 requires that the city either demonstrate how the adopted densities make such housing financially feasible (for example, by citing specific affordable housing projects that have been developed), or zone sufficient sites at densities allowing at least 20 units per acre (1 unit per 2,178 sq. ft.) as a use by right (for purposes of comparison, the 5 very-low income units built by Habitat for Humanity at 20-38 Plumas Street have a density of 21.78 units per acre or '1

unit per 2,000 sq. ft.). At least 50% of the low and very-low income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed-uses are not permitted. By “use by right,” the law means not subject to Use Permit or Planned Development Permit approval. Design review may still be required, but according to the California Department of Housing and Community Development (HCD), the Planning Commission will have to limit itself to “...review[ing] the design merits of a project and [may] call for a project proponent to make design-related modifications, but [the Commission] cannot deliberate the project’s merits or exercise judgment to reject or deny the ‘residential use’ itself” (page 7 of the 6/13/05 attachment to the 6/9/05 HCD Memorandum on AB 2348).

It should also be noted that AB 2348 amended the density bonus provisions in Government Code Section 65915 [adding subsection (p)] to allow the developer of a qualifying project to request that the parking requirements, including handicapped and guest parking, not exceed 1 on-site space per studio or one-bedroom unit, 2 on-site spaces for two-to-three-bedroom units, and 2 ½ on-site spaces per four-plus-bedroom unit. Fractional requirements would be rounded up. The parking may be in-tandem and need not be covered.

Zoning for Previous RHNA: **Assembly Bill (AB) 1233 (Jones 2005)** added Government Code Section 65584.09, requiring that if in the prior Housing Element planning period, the city failed to identify or implement adequate sites to address the City’s previous RHNA by income level, the city must zone or rezone to address this need within one-year of the next Housing Element planning period. This is in addition to any zoning or rezoning required through the Housing Element update to accommodate the City’s RHNA for the new planning period.

The City’s previous Housing Element for the 1999-2006 planning period demonstrated that the City had the zoning capacity to meet and even exceed the RHNA number (426 units), including the low and very-low income categories, if certain rezoning and other measures, like removing the restrictive density standard for mobilehome parks, were taken. Some, but not all, of the rezoning was accomplished, and the mobilehome density standard was amended to increase the potential for low and very-low income units. Even without all of the originally planned rezoning (R-1 to R-3 to gain 23 units), staff’s analysis shows that the City did identify more than an adequate amount of sites to satisfy the previous low and very-low income portion (150 units), as well as the moderate and above moderate income portion (276 units) of the RHNA total of 426 units. Please refer to the attached “Compliance with Government Code Section 65584.09” for details.

Water & Sewer Providers: **Senate Bill (SB) 1087 (Flores 2005)** revised Government Code Section 65589.7 to require the city to immediately forward the adopted housing element to water and sewer providers. Water and sewer providers must grant priority service to housing with units affordable to lower-income households unless specific findings can be made.

Extremely Low Income Households: **Assembly Bill (AB) 2634 (Lieber 2006)** amended portions of Government Code Section 65583 to expand the quantification and analysis of existing and projected housing needs to include extremely low income households. Extremely

low income is defined by Section 50106 of the Health and Safety Code as determined by the US Housing and Urban Development Department; generally, it is 30% of the area median income. If Census data is not available to calculate this subset, Government Code Section 65583(a)(1) provides that the city may presume that 50% of the very low income households qualify as extremely low income.

Because the 2000 U.S. Census did not break out income data for Brisbane into increments corresponding to these income levels based upon the median income for San Mateo County, the percentage of extremely low income households can only be estimated as a range. Using the available data from the 2000 U.S. Census and the County-wide median for all households as a standard, staff estimates that approximately 155-279 Brisbane households were considered extremely low income (earning up to 30% of the median). It was previously estimated that 365 Brisbane households earned up to 50% of the median (the maximum for very low income households). Using the Government Code's presumption, 50% of this number would be 182.5, well within the range estimated by staff based upon 2000 U.S. Census data.

AB 2634 also added "supportive housing single-room occupancy units" to the list of housing types to be considered during the analysis of potential housing sites in Government Code Section 65583(c)(1). A supportive single-room occupancy building would typically include very small private rooms for one individual that may include a small refrigerator and/or microwave, but no permanent cooking facilities. The units would share bathrooms, along with a living room and kitchen. Meeting rooms or offices would be included where various social support services could be provided on-site.

Emergency Shelters, Transitional and Supportive Housing: Senate Bill (SB) 2 (Cedillo 2007) amended Government Code Section 65583(a)(4) to require that the City provide (through rezoning within 1 year of adoption of the Housing Element) at least one zoning district within which emergency shelters [**"housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person" per Health & Safety Code Section 50801(e)**] are permitted without a Use Permit or other discretionary action. The district must be suitable in that other uses in the district are compatible with emergency shelters, in that the district contains sites that are not subject to hazards or environmental constraints that would preclude development of at least 1 year-round emergency shelter with sufficient capacity to meet the need identified through analysis of available data, and in that the district is relatively close to transit, job centers, and public/community services. In Brisbane's case, based upon the Police Department's observation that the number of homeless in Brisbane at any one time typically does not exceed 1 or 2 individuals, usually single male transients along Bayshore Boulevard, it appears that providing for 1 potential shelter should suffice.

Although emergency shelters cannot be subject to discretionary design review, the zoning district regulations may include design standards addressing the maximum number of beds or persons permitted to be served nightly by the facility, off-street parking, waiting and client intake areas, lighting, security and so on. The development standards for emergency shelters should otherwise be the same as would apply to residential and commercial uses within the zoning district.

SB 2 also amended Government Code Section 65583(a)(5) to require that transitional housing [**"buildings configured as rental housing developments, but operated under program**

requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months” per Health & Safety Code Section 50675.2(h)] and supportive housing [“housing with no limit on length of stay, that is occupied by ... persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, ... and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the house, improving his or health status, and maximizing his or her ability to live and, when possible, work in the community” per Health & Safety Code Sections 50675.14(b)(1) & (2)] be treated like any other residential use, subject only to those restrictions that apply to other residential uses in the same zoning district.

Global Warming: Assembly Bill (AB) 32 (Nunez 2006) is also known as the Global Warming Solutions Act. While not specifically a housing bill, it provided broad goals for greenhouse gas emissions reductions for all sectors of the economy. It set the stage for following bill, SB 375, which does effect the relationship between land use and transportation in the next Housing Element cycle.

Sustainable Communities Strategy: Senate Bill (SB) 375 (Steinberg 2008) coordinates the regional housing needs allocation (RHNA) process with the regional transportation plan (RTP) process through incorporation of a sustainable communities strategy (SCS) in order to help achieve greenhouse gas emission reduction targets. In most cases, the planning period for Housing Elements will change to 8 years in order to track the adoption of the RTP, which occurs on a 4-year cycle (one exception would be for jurisdictions that fail to meet the deadline for adoption—they will then be subject to a 4-year planning period). Once the RTP and RHNA are adopted for the region, the Housing Element will have to be updated so as to be consistent, and any rezoning required to provide adequate sites will have to include minimum (not just maximum) density and development standards will have to be completed within 3 years [Government Code Section 65583(c)(1)(A)]. Failure to meet this deadline could be subject to court ordered action per Government Code Section 65587(d). SB 375 also added the requirement that a timeline be specified for implementing each program in the Housing Element “such that there will be beneficial impacts” during the planning period.

Density Bonus: Assembly Bill (AB) 2280 (Saldana 2008) made a number of clarifying changes to the State’s density bonus provisions (Government Code Section 65915), none of which would bring the City’s recently adopted affordable housing ordinance into conflict. Of particular interest to the Housing Element update is the change to Government Code Section 65915(n), which now requires that if the city wants to grant a density bonus greater than required by the Government Code or to grant a lower density bonus for projects that do not qualify under the Government Code, it must adopt a local ordinance that specifically permits this.

HOUSING ELEMENT UPDATE: The Housing Element update cycle begins with the State establishing state population projections and assigning a share of the state housing needs from those population projections to the various regionally government areas or metropolitan planning

organizations. Typically, for the Bay Area, this is done by the Association of Bay Area Governments (ABAG). However, during this housing element cycle, C/CAG (the County and cities in San Mateo County) decided to utilize a provision in State housing law (Government Code Sections 65584 et seq.) that allows this “fair-share” allocation of the regional housing need (RHNA) to be done at the “sub-regional” (County) level. In any case, staff participated in the Technical Advisory Committee and Brisbane Councilmember Michael Barnes participated in the Political Advisory Committee that was part of the C/CAG process to allocate the RHNA. The RHNA numbers for Brisbane have been accepted by the City Council:

Very Low Income	91
Low Income	66
Moderate Income	77
Above Moderate Income	167
Total	401

Given the State’s assumption that a zoning density of at least 20 units per acre is necessary to accommodate housing affordable to lower (low and very low) income households in Brisbane [Government Code Section 65583.2(c)(3)(B)(iii)], the City must identify the potential for 157 units in zoning districts that allow residential development at densities of at least 1 unit per 2,178 sq. ft. as a ‘use by right’ subject only to limited design review [Government Code Sections 65583.2(h) & (i)]. At least half of those (79) must be accommodated on sites zoned for residential use and not mixed-use [Government Code Sections 65583.2(h) & (i)]. Lower densities will presumably accommodate housing affordable to moderate income households; although, this is not specifically addressed in State law. At any rate, it can be assumed that housing considered affordable to low and very low income households would also be affordable to moderate income households.

Housing Affordability: As noted above, the Housing Element must be updated to address Brisbane’s share of the regional housing needs allocation (RNHA) by income level. These levels of income affordability and the types of housing that have met the need at these levels are as follows. Note that the RHNA numbers for the 1999-2006 planning period are cited for information purposes and no longer apply to the current Housing Element cycle. There is no penalty for not having actually produced these numbers of units during the last cycle (the progress toward these goals can be tracked in the attached Annual Housing Element Progress Report for 2008 and the lists of Building Permits Issued for 1/1/99-6/31/06 and 7/1/06-12/31/08).

Extremely Low Income Housing: “Extremely low income” is generally considered to be no more than 30% of the median income for the County, as adjusted by the US Department of Housing and Urban Development. State law did not require that this category be addressed in the 1999-2006 Housing Element, and during its planning period (January 1, 1999-June 30, 2006), no housing was specifically provided to be affordable at this level. No units are allocated to this category in the 2006-2014 RHNA for Brisbane (the planning period for which runs from July 1, 2006 to July 1, 2014). This category was added by AB 2634 (see above), with the presumption that 50% of very low income households would be considered extremely low income.

Very Low Income Housing: “Very low income” is generally considered to be no more than 50% of the median income for the County, as adjusted by the US Department of Housing and Urban Development. Brisbane’s 1999-2006 RHNA share for this category was 107 units. The only housing units affordable to very low income households for which building permits were issued within that planning period were the 7 units in the Habitat for Humanity projects on Plumas Street and at Glen Parkway & San Bruno Avenue (the building permit for the senior housing complex at Visitacion & San Francisco Avenues was issued before 1999).

The City’s 2006-2014 RHNA share for this category is 91 units. While the Redevelopment Agency continues to work with Habitat for Humanity to identify potential projects for development of affordable housing, there is currently nothing under contract. The City’s recently adopted inclusionary housing regulations (Brisbane Municipal Code Section 17.31.030) require that a portion of new rental projects containing more than 10 units be affordable to very low income households, but HCD will not take this potential into its RHNA accounting. According to HCD’s “Building Blocks for Effective Housing Elements” (at www.hdc.ca.gov):

...[T]he analysis of “appropriate zoning” should not include residential buildout projections resulting from the implementation of a jurisdiction’s inclusionary program as this tool is not a substitute for addressing the “adequate sites” requirement. For example, most communities have found that inclusionary policies work best when the underlying zoning and development standards act to significantly promote housing affordability, including the provision of higher densities and flexible development standards.

Low Income Housing: “Low income” is generally considered to be 51-80% of the median income for the County, as adjusted by the US Department of Housing and Urban Development. Brisbane’s 1999-2006 RHNA share for this category was 43 units. No Building permits were issued for units affordable to low income households during that planning period. The City’s 2006-2014 RHNA share for this category is 66 units. One unit affordable to low income households was included in the mixed-use project at 1 San Bruno Avenue for which a Building permit was issued after July 1, 2006. A portion of new rental projects containing more than 5 units and for-sale projects of more than 10 units are required by the City’s inclusionary housing regulations to be affordable to low income households, but this potential is not recognized by HCD in its RHNA accounting (see above).

Lower Income Housing: Per California Government Code Section 65583.2(c)(3), the lower income affordable housing category combines the very low and low income categories. State law did not address this category for the 1999-2006 Housing Element, but the 2006-2014 RHNA’s combined total for the very low and low income affordable categories would be 157 units.

Per CGC Sections 65583.2(c)(3)(B)(iii), (h) & (i), multi-family housing allowed as a use by right at a minimum of 20 units per acre (1 unit per 2,178 sq. ft.), if subject to only limited design review, is considered affordable to lower income households, but at least half of these units (79)

must be within residential zoning districts in which nonresidential uses or mixed-uses are not permitted. Currently, none of the City's zoning districts qualify under this provision due to the Design Permit requirements for projects with 3 or more units (BMC Section 17.42.010), the lack of minimum density standards, and the Use Permit requirements for residential units in the mixed-use SCRO-1 and NCRO-2 Districts. The R-3 and SCRO-1 Districts allow multi-family development at a maximum density of 1 unit per 1,500 sq. ft. (29 units per net acre), but have no minimum required density. The R-2 District has a maximum density of 1 unit per 2,500 sq. ft. (17 units per net acre). The NCRO-2 District has no set minimum or maximum density.

Moderate Income Housing: "Moderate income" is generally considered to be 81-12% of the median income for the County, as adjusted by the California Department of Housing and Community Development. The 1999-2006 RHNA share for this category was 112 units. Building permits were issued for 3 secondary dwelling units during the planning period (see below). The City's first time homebuyers program has also targeted moderate income households; although, no building permits were issued for units that qualified during the planning period.

The City's 2006-2014 RHNA share for this category is 77 units. In the past, the City assumed that all secondary dwelling units would be affordable to moderate income households (see R-1 District, below, for a further discussion of this subject). As of the end of 2008, building permits for 6 secondary dwelling units have already been issued since July 1, 2006. A building permit has also been issued since then for 1 unit to be affordable to moderate income households through agreement with the City as part of the mixed use project at 1 San Bruno Avenue. Per the City's inclusionary housing regulations, a portion of new for-sale projects containing more than 5 units are required to be affordable to moderate income households, but this potential is not recognized by HCD in its RHNA accounting.

Above Moderate Income Housing: "Above moderate income" is generally considered to be more than 120% of the median income for the County. Market-rate housing without sale or rental restrictions is typically assumed to be affordable only to above moderate income households. Brisbane's 1999-2006 RHNA share for this category was 164 units. Building permits were issued for a net increase of 64 above moderate income units during that period (not including units which replaced those demolished during the planning period). The 2006-2014 RHNA share for this category is 167 units. As of the end of 2008, building permits for a net increase of 38 units have already been issued since July 1, 2006.

General Plan Update: In addition to demonstrating how the City will comply with the requirements of State law, the Housing Element update should assure that the Housing Element and the rest of the General Plan remain consistent with one another. As the draft General Plan update notes in the introduction to the Land Use & Subareas chapter, "...information collected during the review of the housing element informs the land use element about the amount of land that should be allocated, at various densities, to meet the housing needs for all socio-economic levels in the community, over a given period of time." The draft General Plan update, so far, identifies 4 subareas with potential for residential development, one less than in the 1994 General Plan (see following chart).

COMPARISON OF 1994 GENERAL PLAN AND DRAFT GENERAL PLAN UPDATE

Subarea	1994 General Plan Land Use Designation	Current Zoning	1999-2006 Housing Element Maximum (Adjusted)* Unit Potential	Residential Land Use Changes Proposed in the Draft General Plan Update	Preliminary Draft GP Total Unit Potential As of 12/31/08
Sierra Point	Sierra Point Commercial/Retail/Office	SP-CRO	0 (0)	No changes	0
Southeast Bayshore	Trade Commercial	M-1	0 (0)	No changes	0
Southwest Bayshore	Subregional Commercial/Retail/Office	SCRO-1	215 (169)	No changes	100
	Open Space	M-1	0 (0)	No changes	0
Brisbane Acres	Residential 0-2 DU/AC	R-BA	236 (169)	New program to allow clustering	186**
Central Brisbane	Residential 2 ½-14 DU/AC	R-1	398(272)***	No changes	368***
		R-2	30 (30)	No changes	22
	Residential 15-30 DU/AC	R-3	112 (92)	No changes	73
	Neighborhood Commercial/Retail/Office	NCRO-1	0 (0)	No changes	0
		NCRO-2	N/A (34)	No changes	9
	Open Space	n/a	0 (0)	No changes	0
	Public Facilities and Parks	n/a	0 (0)	No changes	0
Owl & Buckeye Canyons	Open Space	n/a	0 (0)	No changes	0
The Quarry	Planned Development-Trade Commercial	n/a	N/A (undetermined)	No changes	0
	Open Space	n/a	0 (0)	No changes	0
Crocker Park	Trade Commercial	TC-1	0 (0)	No changes	0
Northeast Ridge	Residential 6.23 DU/AC	PD	499 (391)	Area and number of units would be reduced consistent with HCP Amendment	71
	Open Space	OS	0 (0)	No changes	0

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COMPARISON OF 1994 GENERAL PLAN AND DRAFT GENERAL PLAN UPDATE
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Subarea	1994 General Plan Land Use Designation	Current Zoning	1999-2006 Housing Element Maximum (Adjusted)* Unit Potential	Residential Land Use Changes Proposed in the Draft General Plan Update	Preliminary Draft GP Total Unit Potential As of 12/31/08
Northwest Bayshore	Planned Development-Subregional Commercial/Retail/Office	PD (including residential as a potential component of a mixed-use or live-work project)	N/A**** (undetermined)	Residential uses would no longer be considered appropriate	0
	Marsh	MLB	0 (0)	No changes	0
Northeast Bayshore	Trade Commercial	M-1	0 (0)	No changes	0
Baylands	Planned Development-Trade Commercial	C-1	0 (0)	Per new specific plan currently in process	0
	Lagoon	MLB	0 (0)	No changes	0
Beatty	Heavy Commercial	HC	0 (0)	No changes	0
TOTAL			1,490 (1,157)		829

* "Maximum" is based upon maximum density possible under 1999 zoning district regulations with changes proposed in 2002; "Adjusted" is development potential during the 1999-2006 planning period, reflecting density of actual, approved or proposed projects and infrastructure or environmental constraints
 **Includes secondary dwelling units only in the lower Brisbane Acres
 *** Includes secondary dwelling units
 **** The 1994 General Plan included residential uses in the designation for this subarea only "as a component of a mixed-use project, when combined with or accessory to retail, office or other non-residential uses." The General Plan EIR analyzed this alternative as 124 single-family residential units. The 1999-2006 Housing Element considered development of any housing within this subarea to be outside its planning period.

Current Land Use and Development Standards for Residential and Mixed-Use Zoning Districts

	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-BA</u>	<u>NCRO-2</u>	<u>SCRO-1</u>	<u>PD</u>
Permitted Uses							
Single-Family Unit	Yes	Yes	Yes	Yes	No	No	*
Duplex	No	Yes	Yes	No	No	No	*
Multi-Family Units	No	Yes	Yes	No	No	No	*
Conditional Uses							
Single-Family Unit	No	No	No	No	Yes**	Yes	*
Secondary Unit	Yes	No	No	Yes	No	No	*
Duplex	No	No	No	No	Yes**	Yes	*
Multi-Family Units	No	Yes	Yes	No	Yes**	Yes	*
Mobilehome Park	Yes	Yes	Yes	No	No	Yes	*
Units in Mixed-Use	No	No	No	No	Yes	Yes	*
Live/Work Units	No	No	No	No	Yes	Yes	*
Group Care Home	Yes	Yes	Yes	Yes	Yes**	Yes	*
Density Transfer	No	No	No	Yes	No	No	No
Minimum Lot Size (Sq. Ft.)	5,000	5,000	5,000	20,000	2,500	7,500	*
Dwelling unit density***	1/5,000	1/2,500***	1/1,500***	1/20,000	****	SFR: 1/7,500 Duplex: 1/3,750 MFR: 1/1,500	*
Lot coverage	40%	50%	60%	25%*****	90%	70%	*
Floor area ratio	0.72	0.72	0.72	0.72	None	None	*
Height limit	28-30 ft.	28-30 ft.	28-30 ft.	35 ft.	28-35 ft.	35 ft.	*
Front Setback	</=15 ft.	</=15 ft.	</=15 ft.	10-20 ft.	0 ft.	0 ft.	*
Side Setbacks	3-5 ft.	3-5 ft.	3-5 ft.	3-15 ft.	0-10 ft.	0-10 ft.	*
Rear Setback	10 ft.	10 ft.	10 ft.	20 ft.	10 ft.	10 ft.	*

*Subject to Specific Plan and PD Permit approval.

**As part of a mixed-use project.

***A lot having an area of 4,950 sq. ft. or greater shall be considered conforming for a development density of more than 1 unit.

****Densities established in conjunction with approval of project proposals that successfully address environmental and design issues.

*****Higher coverage possible under Use Permit for Density Transfer

Zoning District Options: There are a number of possible combinations of options by which the City could revise and refine its zoning to accommodate the housing potential required by RHNA to the satisfaction of HCD. Seven zoning districts currently allow residential development as permitted or conditional uses. A table summarizing the current land use and development standards for these districts is provided on page 10. The following text discusses in detail the residential development potential of each of these districts through lot splits, mergers, variances and changes to the district boundaries and regulations. A brief discussion of the residential development potential of the remaining commercial, manufacturing and other zoning districts is provided to give the Planning Commission a full range of options to consider.

Four tables organizing some of these approaches to meeting the RHNA requirements start on page 12 as a preface to this text. The first table provides an outline (City-wide Options Menu), listing all the various potential changes that staff evaluated, while the next three tables provide specific mixes from the options menu. Note that there are specific options for achieving the RHNA requirements that are listed on the City-wide Options Menu but that were not included in the three alternatives, but all of these specific options are up for further discussion. The tables are as follows:

City-wide Options Menu – This table includes all of the options for meeting the RHNA requirements that were evaluated by staff in the text.

Alternative A: Changes All within Existing Residential Zoning Districts – This table includes only options for changes within the existing residentially zoned areas. The largest credits to meeting the lower income categories would be achieved by revising the R-3 District regulations to include a minimum density of at least 1 unit per 20 acres and then rezoning portions of the R-BA District to R-3. A number of other changes are included to encourage infill housing.

Alternative B: Primarily Rezoning Selected Crocker Park Sites + R-3 Zoning Text Amendment - The primary changes proposed would be to (1.) rezone as multi-family residential 2 parcels at 91 and 105 Park Lane, located across Old Quarry Road from the existing R-2 District, and (2.) rezone the partially vacant property at 125 Valley Drive to allow mixed use. The Park Lane sites would be rezoned to the R-3 District, which would be revised to specify a minimum density of at least 20 units per acre. This change to the R-3 District regulations would provide a margin of error in the lower income portions of the RHNA numbers with little actual impact upon the existing R-3 district. The owner of the 125 Valley Drive site [State Teachers Retirement System (STRS)] has indicated a desire to redevelop the site, which, as indicated elsewhere in the text, could be a critical site in "Completing the Village."

Alternative C: Changes to Existing Residential Districts and Selected Rezoning in Crocker Park - This alternative combines rezoning of the 125 Valley Drive site along with some changes to the existing residential zoning districts. These changes primarily include specifying a minimum density of at least 20 units per acre in the R-2 and R-3 Districts (not just maximum densities), combined with upzoning of split-zoned properties.

Table H
City-wide Options Menu

Conceptual Zoning	Subject	Existing Potential	Recent & Existing Potential	Additional Potential	F1	F2	F3	Constraints & Opportunities						
		(Units)	(Units)	(Units)	Grand Total Potential (Recent, Existing & Additional) by 2014	Very Low to Low Income Porbun	Mod. Income Position							
R-1	All Existing	9	4	52 (32, 10, 0, 0, 10)	28 (15, 1, 12)	6 (20% of SDU's)	99	Substantial private roadways, narrow public streets and parking are constraints.						
R-1	"Blocks 1 - 9" R-1 to R-2 43 & 283 Alv/ 298, 312 & (850) SB 49 & 55 SF	0	0	0	21 to 49 (See Det. Table)	21 to 49 (See Det. Table)	21 to 49	Involves block by block changes from R-1 to R-2. As such it would involve many small projects.						
R-2		0	0	25 (11, 0, 0, 24, 0)	28 to 34 (25 - 3 to 9)	12 (See Det. Table)	12	Would clean-up inconsistencies in the zoning boundaries with minimal impacts						
R-3		2	0	67 (0, 0, 0, 67, 0)	28 to 34 (By Spec. Min. Density)	69	67	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.						
R-BA	All Existing	2	1	4 (1, 1, 2, 0, 0)	6	0	0	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.						
NCRO-2	Block 1 End of Santa Clara St	15	1	82 (1, 0, 0, 81, 0)	17 - 26 (See Det. Table)	2 - 3 (See Det. Table)	17 to 26	Close to existing higher density development. Need to address HCP issues						
SCRO-1	Block 2 & 3 Thomas to Joy Aves.	0	0	0	97 (See Det. Table)	97	97	Close to existing higher density development. Need to address HCP issues						
P-D (NE Ridge)		15	1	71 (1, 0, 0, 0, 0)	30	1	1							
P-D (NW Bayshore)		0	0	0	82	0	0							
TC-1	4 Parcels along Old Canby Rd. to Mixed Use 91 to 105 Park Ln. (to R-3)	0	0	0	311 (0 units/acre - 1) on 15.35 ac. per 2014	0	311	Most removed from Central Brubane shops, services and City life, but may address some housing needs associated with the Baylanus.						
	Down-slope from NE Ridge to R-3	0	0	0	170 (0 units/acre - 1)	78 ^B	170 ^A	Would serve to "Complete the Village" and potentially phase out a freight forwarder from adjacent to the City park. Close to shops, services and public transportation						
		0	0	0	114 (0 units/acre - 1)	114	114	Would extend the residential area across Quarry road. Provides relatively high density near shops, services, and public transportation						
		0	0	0	49 (0 units/acre - 1)	49	49	Largely separated from shops and services by Crocker Park. Although handled separately as part of Crocker Park it would function as an extension of the NE Ridge development						
Totals		43	1	316	95 to 101	28	22	6	791 to 828	373 to 402	1,191 to 1,234	499 to 534	10+?	100 RHNA Total (91 very low, 66 low, 77 moderate, 167 above moderate)

A = R-1 existing potential includes 10 Secondary Dwelling Units for the housing element period and it is assumed, based on a 2009 rent survey, that 80% (8) would qualify as affordable to very low to low income families and 20% (2) would qualify for moderate income families.
 B = The total of 174 units is based on 21 units per acre for the full acreage of the sites. If the City were to require a dedication of land to public uses, similar to the P-D districts (25%), this would reduce the number of units (for the purposes of RHNA credits) to 129.
 File: T:\General Plan/Housing Element/H.A City Wide Menu

Table H.A
 Alternative A: Changes All within Existing Residential Zoned Districts

Current Zoning	Additional Potential										Grand Totals			Constraints & Opportunities
	100% of Potential	80% of Potential	60% of Potential	40% of Potential	20% of Potential	10% of Potential	5% of Potential	2.5% of Potential	1.25% of Potential	0.625% of Potential	F.1 Grand Total Potential (Recent, Existing & Additional) by 2014	F.2 Very Low to Low Income Portion	F.3 Mod. Income Portion	
R-1	9	4	57 (12, 10, 0, 0, 10)	8	2	10 (By Lot Area)	28 (15, 11, 12)	22 (80% of SDU's)	6 (20% of SDU's)	21 to 49 (See Dec. Table)	99	30	8	Substandard private roadways, narrow public streets and parking are constraints. Involves block by block changes from R-1 to R-2. As such it would involve many small projects.
R-2	0	25 (1, 0, 0, 24, 0)	0	0	0	3 to 9 (By Density)	28 to 34 (By Density)	0	0	12 (See Dec. Table)	28 to 34	12	?	Would clean-up inconsistencies in the zoning boundaries with minimal impacts
R-3	2	67 (0, 0, 0, 67, 0)	0	0	0	67 (By Spec. Min. Density)	0	0	0	97 (See Dec. Table)	69	67	?	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.
R-BA	2	4 (1, 1, 2, 0, 0)	0	0	0	0	0	0	0	97 (See Dec. Table)	6	0	1	Close to existing higher density development. Need to address HCP issues
NCR0-2	15	1	15 (1, 0, 0, 14, 0)	0	0	0	0	0	0	130 to 158	30	1	1	
SCR0-1	0	82 (1, 0, 0, 81, 0)	0	0	0	0	0	0	0	130 to 158	82	0	0	
P-D (NE Ridge)	15	71 (71, 0, 0, 0, 0)	0	0	0	95 to 101	0	0	0	130 to 158	86	0	0	
Totals	43	1	316	8	2	13 to 19	28	22	6	130 to 158	530 to 564	256 to 290	9+?	
											401	157 +	77	
														= 224 ^B

A = R-1 existing potential includes 10 Secondary Dwelling Units for the housing element period and it is assumed, based on a 2009 rent survey, that 80% (8) would qualify as affordable to very low to low income families and 20% (2) would qualify for moderate income families.
 B = Since the State has not defined its requirements to show development potential for the Moderate Income portion of the RHNA, staff has taken the approach of including the 77 units with those 157 units required for lower income households. Since these units would be affordable at that lower level, they would also be affordable at moderate incomes.

G.1.13

Table H.B
Alternative B: Primarily Rezoning Selected Crocker Park Sites
+ R-1 and R-3 Zoning Text Amendments

Current Zoning	Study Area	Recent & Existing Potential				Additional Potential				Grand Totals			Constraints & Opportunities		
		A-1 Total Potential Units	A-2 Total Potential Units	A-3 Total Potential Units	A-4 Total Potential Units	D-1 Total Potential Units	D-2 Total Potential Units	D-3 Total Potential Units	D-4 Total Potential Units	F-1 Grand Total Potential (Recent, Existing & Additional) by 2014	F-2 Very Low to Low Income Portion	F-3 Mod. Income Portion			
R-1		9	4	52 ^A (12, 10, 0, 0, 0)	8 180% of SDU's	2 (20% of SDU's)	10 (By Lot Dens.)					71	8	6	Substandard private roadways, narrow public streets and parking are constraints.
R-2		0	0	25 (1, 0, 0, 24, 0)	0	0						25	0	0	
R-3		2	0	67 (0, 0, 0, 67, 0)	0	0	67 (0, 0, 0, 67, 0)					69	67	?	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.
R-BA		2	1	4 (1, 1, 2, 0, 0)	0	0						6	0	1	
NCRO-2		15	1	15 (1, 0, 0, 15, 0)	0	0						30	1	1	
SCRO-1		0	0	82 (1, 0, 0, 81, 0)	0	0						82	0	0	
P-D (NE Ridge)		15	0	71 (71, 0, 0, 0, 0)	0	0						86	0	0	
TC-1	125 Valley Drive (to Mixed Use)	0	0	0	0	0						91 ^B	78 ^B	?	Would serve to "Complete the Village" and potentially phase out a freight forwarder from adjacent to the City park. Close to shops, services and public transportation
	91 to 105 Park Ln. (to R-3)	0	0	0	0	0						114	114	?	Would extend the residential area across Quarry road. Provides relatively high density near shops, services, and public transportation
Totals		43	6	316	8	2	10	67	205	114	268	574	268	8+7	RHNA: 410 Total (91 very low, 66 low, 77 moderate, 167 above moderate)
												401	157 +	77	
															= 254 ^C

Superseded

A = R-1 existing potential includes 10 Secondary Dwelling Units for the housing element period and it is assumed, based on a 2009 rent survey, that 80% (8) would qualify as affordable to very low to low income families and 20% (2) would qualify for moderate income families.
 B = The total of 95 units is based on: 21 units per acre for the full 4.54 acres of the site. If the City were to require a dedication of land to public uses, similar to the P-D districts (2.5%), this would reduce the number of units for the purposes of RHNA credits to 71, all of which would be credited to the low income categories.
 C = Since the State has not defined its requirements to show development potential for the Moderate income portion of the RHNA, staff has taken the approach of including the 77 units with these 157 units required for lower income households. Since these units would be affordable at that lower level, they would also be affordable at moderate incomes.

Table H.C
 Alternative C: Primarily Changes to Existing Residential Districts
 + Rezoning 125 Valley Drive

Current Zoning	Subject Area	Additional Potential										Grand Totals			Constraints & Opportunities
		Very Low Income	Low Income	Mod. Income	Very High Income	Total SDU's	Change in Zoning	Very Low Income	Low Income	Mod. Income	Very High Income	F.1	F.2	F.3	
R-1	All Existing 43 & 285 A1V/ 298, 312 & (850) SBV/49 & 55 SF	9	4	52 ^A (32, 10, 0, 0, 10)	8 (80% of SDU's)	2 (20% of SDU's)	10 (By Lot Blk.)	28 (15, 1, 0, 12)	22 (80% of SDU's)	6 (20% of SDU's)	12 (See Dec. Table)	30	8		Substandard private roadways, narrow public streets and parking are constraints.
R-2	"Blocks 1-3" R-1 to R-2	0	0	25 (0, 0, 0, 24, 0)	0	0	3 to 9 (By Density Blk.)	0	0	0	10 (See Dec. Table)	12	?	?	Would clean-up inconsistencies in the zoning boundaries with minimal impacts
R-3		2	0	67 (0, 0, 0, 67, 0)	0	0	67 (By Spec. Min. Density)	0	0	0	67	69	?	?	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.
R-BA	All Existing	2	1	4 (1, 1, 2, 0, 0)	0	0	4	0	0	0	6	6	0	1	Zoning Text change to specify a minimum density of 20 units/acre. There would be likely little impact to actual built density.
NCR0-2		15	1	15 (1, 0, 0, 0, 0)	0	0	15	0	0	0	30	30	1	1	
SCRO-1		0	0	82 (1, 0, 0, 81, 0)	0	0	82	0	0	0	82	82	0	0	
P-D (NE Ridge)		15	0	71 (1, 0, 0, 0, 0)	0	0	71	0	0	0	86	86	0	0	
TC-1	125 Valley Drive (to Mixed Use)	0	0	0	0	0	0	0	0	0	91 ^B	91 ^B	78 ^B	?	Would serve to "Complete the Village" and potentially phase out a freight park. Close to shops, services and public transportation.
Totals		43	6	316	8	2	13 to 19	28	22	6	113	226 to 232	10+?	77	RHNA: 410 Total (91 very low, 66 low, 77 moderate, 167 above moderate)

Superseded

A = R-1 existing potential includes 17 Secondary Dwelling Units for the housing element period and it is assumed, based on a 2009 rent survey, that 80% (8) would qualify as affordable to very low to low income families and 20% (2) would qualify for moderate income families.
 B = The total of 95 units is based on 21 units per acre for the full 4.54 acres of the site. If the City were to require a dedication of land to public uses, similar to the P-D districts (25%), this would reduce the number of units (for the purposes of RHNA credits) to 71, which would be credited to the low income categories.
 C = Since the State has not defined its requirements to show development potential for the Moderate Income portion of the RHNA, staff has taken the approach of including the 77 units with those 157 units required for lower income households. Since these units would be affordable at that lower level, they would also be affordable at moderate income.

It may be possible to pick and choose particular aspects from each of the alternatives to find an acceptable approach. These alternatives focus on those changes that might have the greatest potential for achieving the RHNA goals. There are a number of additional changes that should be considered in complying with all of the other Housing Element requirements in State law. These are detailed below and condensed into a list attached at the end of this report.

R-1 District: The R-1 District covers most of Central Brisbane from Mendocino Street and above. The maximum density permitted in this district, not including secondary dwelling units, is 1 unit per 5,000 sq. ft. (8 per net acre). Secondary dwelling units may be permitted on 5,000 sq. ft. sites subject to the development standards contained in BMC Section 17.43.030.

The 1999-2006 Housing Element identified the maximum development potential in the R-1 District for single-family residences on standard, substandard and unrecorded sites was 71 units, including 9 already under construction at the time and 15 for which amendment of the substandard lot provisions or variances would be required. Since then, a number of additional sites have been developed, and 5 nonconforming lots were administratively recognized as buildable or were granted variances to allow development (in lieu of amendment of the substandard lot provisions). The current estimate for the 2006-2014 planning period is for 42 additional single-family dwellings on vacant or subdividable sites, not including the 5 houses for which building permits have been issued to date (7/1/06-12/31/08) or the 10 secondary dwelling units projected below.

Lot Splits, Modifications and Variances--There is the potential for 8 more single-family dwellings on sites that could be created through lot splits that would meet the 5,000 sq. ft. minimum lot area, but not the 50 ft. minimum width or 100 ft. minimum depth standard. The Subdivision Ordinance requires that the Planning Commission find that: "Each lot or parcel to be created will constitute a buildable site and will be capable of being developed in accordance with the applicable provisions of the zoning ordinance (BMC Section 16.16.220.C). Presumably, a "buildable site" is one which complies with the applicable lot area and lot dimensions for the zoning district within which it is located (there is no definition of the term in the Subdivision Ordinance, see BMC Chapter 16.08; cf. BMC Sections 17.02.490 & 17.02.725). BMC Section 16.36.040 provides that: "The planning commission may approve modification from the provisions of this chapter if it finds such modification to be warranted. The commission may make its approval subject to appropriate conditions." Thus, the Commission may approve a modification to the requirement for a buildable site in the Subdivision Ordinance, but there is no parallel process in the Zoning Ordinance (BMC Chapter 17.46 would require approval of a variance subject to more onerous findings; also see BMC Section 17.56.090.A.1). One way to address this would be to adopt a new program in the Housing Element to "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; although, they do not meet the minimum lot dimension standards."

There are an additional 2 vacant lots that do not qualify under the City's substandard lot provisions but that may otherwise be feasible for development. These provisions (Brisbane Municipal Code Sections 17.02.490.H and 17.32.100) basically state that a substandard lot ("...a

lot having any lot dimensions that do not comply with the minimum standards...”) in any residential district can be independently developed only with a single-family dwelling, regardless of which residential district it is in, only if it was not owned by the owner of an adjoining property any time on or after October 14, 1969 (“...the time of the adoption of the ordinance codified in this title or prior ordinance”). Program H1c in the 1999-2006 Housing Element called for simplifying the “substandard lot” provisions of the Zoning Ordinance, but when the Commission attempted in 2001 to identify acceptable exceptions, the results appeared to be even more complicated. Instead, staff now recommends that this program be revised to read, “Clarify the ‘substandard lot’ provisions of the Zoning Ordinance, and update the merger ordinance.” If necessary, applications could be made for Variances to permit development of these sites, as was the case at 230 Humboldt Road (Variance V-2-01).

With these two program revisions, the estimate for additional single-family residences in the R-1 District during the remainder of the current planning period could be increased from 42 to 52.

Access Constraints--A potential constraint upon residential development in the R-1 District is inadequate street width. Per BMC Section 12.24.010.B, the City requires a 36 ft. improved width for streets with parking on both sides (28 ft. width with parking on only one side). Single-family developments proposed on narrow public streets are required to widen the street to City standards for the frontage of the site. This has not proven to be a significant obstacle to development (note the number of new houses built on Humboldt and Kings Roads and other streets in upper Central Brisbane).

For properties served by private roadways (Margaret and Paul Avenues in the R-1 District), the City’s policy is to require that the entire length of the private roadway to the property be improved to City standards and offered for dedication as a public street (per BMC Section 12.24.010.E). Such improvements would typically be dependent upon the cooperation of the other property owners along the private roadway, who would have to agree to the formation of an assessment districts to take on such a project. The 8 vacant lots located on such streets are not contemplated by staff for development in the 2006-2014 planning period (these were not included in the 42 single-family units noted above).

For secondary dwelling units in the R-1 District, inadequate street width may be a greater concern. Currently, BMC Section 17.43.030.H requires that, “The site on which the secondary dwelling unit is located shall have a legal means of access which complies with the standards set forth in Section 12.24.010.” In practice, secondary dwelling units have been treated as any other remodel or addition to a single-family residence in terms of requirements for street widening and dedications. The standard triggers for street widening/dedication are:

- (1.) reliance upon on-street parking on streets that are not wide enough to meet the on-street parking standards (BMC Sections 12.24.010.B.1 & 17.34.010),
- (2.) additions or alterations in excess of fifty percent of value or area of the pre-existing building or structure” (BMC Sections 15.08.140 & 17.01.060.C.1), and
- (3.) additions exceeding 100 sq. ft. to an existing building on a private street (BMC Section 17.01.060.B.4).

When required, the cost of street widening is an unavoidable constraint that, given the City's limited resources to assume this responsibility, may tip the balance in determining whether adding a secondary dwelling unit is financially feasible, particularly for the upper portions of Central Brisbane where the rights-of-way are typically only 40 ft. wide.

Street width may also affect whether off-street parking should be recognized in approving secondary dwelling units. Currently, all of the parking for secondary dwelling units is required to be located entirely on-site; although, this restriction does not apply to the parking required for single-family residences. Per Housing Element Program H4a(1), the Planning Commission had recommended that off-street parking facilities within the public right-of-way be subject to the approval of the City Engineer for single-family residences, secondary dwelling units and duplexes, if the parking space would not be located in a portion of the right-of-way required for street widening to comply with BMC Section 12.24.010.B.1, would not block a required sidewalk, would have minimal impact upon existing on-street parking, would have sufficient maneuvering room, and would not be located in a three-in-tandem arrangement. This recommendation, though, has yet to be acted upon by the City Council. The parking requirements for secondary dwelling units are discussed further below.

Secondary Dwelling Units/Recent Trends--The 1999-2006 Housing Element identified a maximum potential for 327 secondary dwelling units in the R-1 District, of which there was a reasonable capacity for 201 secondary dwelling units during that planning period. In reality, only 6 secondary dwelling units were approved and 3 building permits were subsequently issued from 1999 to mid-2006 (adding to the 5 previously approved and built 1985-1998). This may, in part, be a reflection of the constraints associated with narrow streets as noted above. Staff estimates that not including potential secondary dwelling units on streets with rights-of-way less than 50 ft. wide would reduce the capacity to 54 units. From July 1, 2006 to December 31, 2008, an additional 6 secondary dwelling unit permits were approved and 6 building permits were issued. Thus, the trend for secondary dwelling unit approval has been on the increase, to approximately 2 per year from 2006 through 2008.

Government Code Section 65583.1(a) provides that the Department of Housing and Community Development (HCD) may "...allow a city...to identify sites for second units based on the number of second units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department." Based upon recent trends, it is unlikely that HCD would recognize that the City has a realistic development capacity for more than 10 additional secondary dwelling units (2 per year) during the remainder of the current planning period, unless the City proposes changes to its regulations to reduce existing constraints upon development of these units. In addition, the City would need to show HCD that there is an unmet need/demand for more secondary dwelling units, to relieve overcrowding, for example.

APPROVED SECONDARY DWELLING UNITS 1999-2008

<u>Address</u>	<u>Size</u>	<u>Year Approved</u>	
		<u>Planning Permit</u>	<u>Building Permit</u>
1050 Humboldt Rd.	1 bedroom/598 sq. ft.	1999	1999
395-A Alvarado St.	1 bedroom/380 sq. ft.	2003	2004
37 San Benito Rd.	2 bedrooms/683 sq. ft.	2005	2006
432 Klamath St.	1 bedroom/1,000 sq. ft.	2006*	2006
1056-A Humboldt Rd.	2 bedrooms/897 sq. ft.	2006	2006
2-A San Diego Ct.**	1 bedroom/702 sq. ft.	2006	2006
29-A San Francisco Ave.	1 bedroom/822 sq. ft.	2006	2006
1120 Humboldt Rd.	1 bedroom/602 sq. ft.	2007	2007
7-A San Diego Ct.	2 bedrooms/755 sq. ft.	2007	2007
265 Sierra Point Rd.	2 bedrooms/882 sq. ft.	2004	***
245 San Benito Rd.	1 bedroom/941 sq. ft.	2007	***
455 Alvarado St.	3 bedrooms/955 sq. ft.	2007	***

*legalizing pre-existing unit
 **located in the R-BA District
 ***no Building Permit issued as of 12/31/08

Secondary Dwelling Units/Parking Standards--Government Code Section 65852.2(e) states that parking requirements for secondary dwelling units shall not exceed 1 space per unit or per bedroom; although, additional parking may be required "provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings." Using this exception by citing the limited capacity for on-street parking on its narrow streets, the City reaffirmed its requirement of 2 standard-size on-site parking spaces for secondary dwelling units (BMC Section 17.34.010).

If the City were to reduce its parking requirement along the lines of Government Code Section 65852.2(e), the case could be made for increasing the estimated capacity for secondary dwelling units during the new planning period. Per 1999-2006 Housing Element Program H4a(1), the Planning Commission had recommended that the parking requirements be revised so as to be based upon floor area, consistent for single-family dwellings, secondary dwelling units, duplexes and multi-family dwelling units. It may still be possible to reconcile this approach with that taken by the State, which is based upon number of bedrooms. For example, the parking requirement for secondary dwelling units could be revised to 1 standard-size uncovered off-street parking space for studio and 1-bedroom units not exceeding 800 sq. ft. of floor area, plus 1 compact uncovered off-street space for secondary dwelling units with more than 1 bedroom or more than 800 sq. ft. of floor area. This suggested 800 sq. ft. threshold is based upon the 721 sq. ft. average size of approved 1-bedroom secondary dwelling units and the 834.4 sq. ft. average size of approved secondary dwelling units with more than 1 bedroom. This change would have reduced the parking requirement for 1/3 of the secondary dwelling units proposed from 1999-2008.

PARKING STANDARDS					
	Studio	1-BR	2-BR	3-BR	4+-BR
BMC Sect. 17.34.010:					
SDU	2 ^{a b}	2 ^{a b}	2 ^{a b}	2 ^{a b}	2 ^{a b}
Duplex/MFDU	1	1.5 ^{ac}	1.5 ^{ac}	2 ^{ac}	2 ^{ac}
CGC Sect. 65852.2(e):					
SDU	1	1	2	3	4
CGC Sect. 65915:					
Density Bonus	1	1	2	2	2.5

BR = Bedroom

BMC = Brisbane Municipal Code

CGC = California Government Code

SDU = Secondary Dwelling Unit

MFDU = Multi-Family Dwelling Unit (triplex or larger)

^a Required to be on-site (all others may be off-street)

^b Required to standard size (typically, 50% of all others may be compact)

^c Required to be covered and enclosed on 3 sides (all others may be uncovered)

If the parking requirements for secondary dwelling units were revised, and if these changes were publicized, particularly in those portions of the R-1 District where street width is not a significant constraint, staff would contend that this would encourage provision of as many as 1/3 of the 54 potential secondary dwelling units noted above during the planning period, minus the 10 already projected under the current parking requirements, which would add up to 15 units.

Secondary Dwelling Units/Minimum Lot Size--Another approach that the City could take would be to revise its 5,000 sq. ft. minimum lot size for secondary dwelling units in the R-1 District (BMC Section 17.43.030.B) to open up the potential pool of properties that could be eligible. If the impact of secondary dwelling units upon the availability of on-street parking is a concern, then lot frontage may be more significant than lot size. The 5,000 sq. ft. minimum lot size standard assumes the typical 50 ft. of frontage (usually sufficient for an on-street parking space plus a two-car-wide driveway curb cut), but there are many building sites in the R-1 District that have at least 50 ft. of frontage but less than 5,000 sq. ft. of lot area, due to having frontages on two streets (as a corner or "through" lot) or a lot configuration that narrows from the street. Secondary dwelling units on smaller lots would still be required to meet the parking, lot coverage, setback and floor area ratio standards. If there were further concerns regarding the potential for overdevelopment of these smaller lots, the 1,000 sq. ft. maximum floor area limit for secondary dwelling units could be reduced in proportion to ratio of the size of the lot compared to the R-1 District's 5,000 sq. ft. standard.

Staff estimates the total capacity for 41 additional secondary dwelling units on streets with 50 ft. wide rights-of-way under this scenario (not counting any potential secondary dwelling units on narrower rights-of-way). Based upon the original projection that 10 out of the current 316 total potential secondary dwelling units on 5,000+ sq. ft. sites could be added by the end of the current planning period (3%), staff would project that at least 1 additional secondary dwelling unit could be under construction by June 30, 2014, if the zoning ordinance were amended to allow such units on sites with 50 ft. of frontage, regardless of lot size. Combined with the parking

requirement revisions discussed above, staff would contend that this further change would encourage provision of as many as 1/3 of the 41 potential secondary dwelling unit capacity, which would add up to an additional 12 units. Combined with the 10 projected secondary dwelling units under the current regulations plus 15 additional resulting from changes to the parking requirement, this would total 38 units.

Secondary Dwelling Units/Affordability—The 1999-2006 Housing Element assumed that secondary dwelling units would be affordable to moderate income households. A recent survey of secondary dwelling units in Brisbane found that in 2008 two of the 1-bedroom units were rented for \$600-800. Using the Official State Income Limits for San Mateo County (2/28/08), \$679-\$1,131 would be affordable to a very low income two-person household that would typically occupy a 1-bedroom unit, assuming 30% of the monthly income goes toward rent. No rent was charged to 3 tenants, in which case \$0 rent would be considered affordable to extremely low income households. As for the 4 remaining units surveyed, the owners either occupied the units or declined to provide rent information. Thus, approximately 55% (5 out of 9 units surveyed) of the secondary dwelling units were at least affordable to very low income households.

2008 SECONDARY DWELLING RENT SURVEY RESULTS
69% response rate (9 out of 13)

<u>Size</u>	<u>#</u>	<u>Response</u>	<u>Affordability</u>
Studio	1	occupied but no rent charged	extremely low
	1	occupied by owner	
1-BR	2	occupied but no rent charged	extremely low
	1	rented but declined to state dollar amount	
	1	rented for \$600	very low
	1	rented for \$800	very low
	1	vacant	
	3	no responses	
2-BR	1	occupied by owner	
	1	no response	

According to the report “Affordability of Second Units in San Mateo County” by Baird + Driskell Community Planning (October 24, 2008), about 40-70% of the secondary dwelling units in the County are affordable to extremely low income households, about an additional 5-15% are affordable to very low income households, and an additional 10-30% are affordable to low income households, with the remainder being affordable to moderate income households. Taking the midpoints of these ranges, the figures would be 55% extremely low, 10% very low, 20% low and 15% moderate. Extrapolating from these results for the low $[20/(20+15) \times (100-55)]$ and moderate $[15/(20+15) \times (100-55)]$ categories, it appears reasonable to assume that secondary dwelling units in Brisbane are affordable at the following levels:

Very Low	55%+/-
Low	25%+/-
Moderate	20%+/-

On a broader basis, according to City-Data.com, the 2007 median contract rent for all rental units in Brisbane was \$1,175, the median gross rent was \$1,231, and the median rent asked for vacant for-rent units was \$1,083. Based upon the median number of rooms in apartments being 3.3 (including kitchens), it could be assumed that these figures would apply to a 1-bedroom unit that would typically be occupied by a 2-person household. An affordable rent for a moderate-income two-person household would be \$1,810-2,265, based upon 30% of the monthly income (per the Official State Income Limits, 2/28/08). For this same household size, \$1,132-\$1,809 would be affordable to a low income household, and \$679-\$1,131 would be affordable to a very low income household. This further confirms the City's assumption that the majority of secondary dwelling units are at least affordable to low income households.

R-2 District: This district is currently limited to Mariposa and Monterey Streets west of San Bruno Avenue, Inyo Street, the west end of San Francisco Avenue and the north end of Solano Street. Interestingly, all of these street segments (excluding one-way Inyo Street) have a right-of-way width of at least 50 ft., which would be sufficient to accommodate 2 lanes of traffic with parking and sidewalks on both sides of the street (see BMC Section 12.24.010.B). The R-2 District has a maximum density of 1 unit per 2,500 sq. ft. (17 units per net acre) and no set minimum density. In 2002, the City amended BMC Section 17.08.040.B to allow 2 units on a 4,950 sq. ft. site (which would translate to 1 unit per 2,475 sq. ft.).

The 1999-2006 Housing Element identified the reasonable capacity for 30 additional dwelling units on vacant and underdeveloped sites in the R-2 District within its planning period. The current estimate for the 2006-2014 planning period is for 25 additional units on vacant and underdeveloped sites. The new numbers reflect the more conservative assumption that existing developed lots will not be aggregated to maximize their development potential, based upon the lack of such activity to date. Nonetheless, as the housing stock ages (the average year of construction on the underdeveloped sites is 1940), the potential that existing single-family houses will be converted or expanded into duplexes or triplexes will increase. For example, the existing single-family house at 248 Monterey Street, built in 1930, is proposed to be demolished and replaced with a duplex.

Expanding the R-2 District--As noted above, all but one of the streets within the R-2 District have 50 ft. wide rights-of-way, as do a number of other streets within the portion of the adjoining R-1 District located in lower Central Brisbane. This width can accommodate improved streets with parking and sidewalks on both sides. This provides more traffic and on-street parking capacity, as well as safe pedestrian access. If a right-of-way width of 50 ft. were considered to be a key element in accommodating higher density, then the R-2 District could be expanded to include the east ends of San Francisco Avenue and Mariposa and Monterey Streets, as well as Mendocino and Klamath Streets, the portion of Alvarado Street connecting Mariposa to Mendocino Street, and the upper portion of Visitacion Avenue. The remainder of Alvarado Street and Mono, Santa Clara and Tulare Streets also have 50 ft. wide rights-of-way, but portions of these streets are more than 500 ft. from an intersection with a street or alley to provide an

additional means of access (a concern per 1994 General Plan Program 45c). Please refer to the attached "Alternatives for Rezoning Specific Blocks from R-1 to R-2" map and table.

It should be noted that each 5,000 sq. ft. site currently in the R-1 District could already have a density of 1 unit per 2,500 sq. ft., subject to compliance with the secondary dwelling unit requirements. Within this area of potential rezoning, there is only 1 property (157 San Benito Road, which backs onto Visitacion Avenue) between 4,950 and 4,999 sq. ft. in area that could qualify for 2 units under BMC Section 17.08.040.B. Thus, expanding the district boundaries would not be sufficient to increase the development potential in the area.

Intensifying the R-2 District--To actually increase the development capacity of the R-2 District, increased density would be necessary. To be considered as affordable to lower income households, AB 2348 would require that the minimum (not maximum) density permitted be 1 unit per 2,178 sq. ft. (20 units per acre) and that design review be limited as noted above. Multiple family dwellings containing seven or more units could no longer be subject to Use Permit approval (BMC Section 17.08.030.G). In addition, HCD would expect a height limit that would accommodate at least 3 stories of development ("Housing Element Questions and Answers," October 2006, page 41).

Increasing the current R-2 District density from 1 unit per 2,500 sq. ft. to 1 unit per 2,178 sq. ft. (20 units per acre) or even 1 unit per 2,000 sq. ft. (as a round number) would not have an actual impact for sites under 8,000-8,712 sq. ft. in the current R-2 District.

LOT AREA	R-2 DISTRICT		
	1/2,500 sq. ft.	1/2,178 sq. ft.	1/2,000 sq. ft.
2,500 sq. ft.	1	1	1
4,950 sq. ft.	2*	2	2
5,000 sq. ft.	2	2	2
6,000 sq. ft.	2	2	3
6,534 sq. ft.	2	3	3
7,500 sq. ft.	3	3	3
8,000 sq. ft.	3	3	4
8,712 sq. ft.	3	4	4
10,000 sq. ft.	4	4	5

*per BMC Section 17.08.040.B.

There are only 2 sites (237 and 445 Monterey Streets) in the current R-2 District that exceed 8,000 sq. ft. Staff calculates that increasing the density to 1 unit per 2,178 sq. ft. (while still allowing 2 units on sites at least 4,950 sq. ft. in area) would net 3 more units. Allowing 2 units on sites at least 4,356 sq. ft. in area would net 2 additional units (including 1 on property that is currently split-zoned with the NCRO-2 District). Increasing the density further to 1 unit per 2,000 sq. ft. (while still allowing 2 units on sites at least 4,950 sq. ft. in area) would net 1 more unit, and then allowing 2 units on sites at least 4,000 sq. ft. in area would net 3 additional units. While these additional 3 to 9 units are not a substantial number, the benefit of complying with the higher minimum density set by AB 2348 is that all 28 to 34 of the potential units (including the 25 under the current regulations) would be counted toward the City's RHNA share of low

and very low income affordable housing, which is a total of 157 units. Please refer to the attached "Alternative Unit Densities for the R-2 District" table.

Increasing the density in the R-2 District and expanding its boundaries to include those portions of the R-1 District with a right-of-way width of 50 ft. (excluding those streets more than 500 ft. long without an intervening intersection) would generate substantially more potential for low and very low income affordable housing, according to AB 2348. Increasing the density to 1 unit per 2,178 sq. ft. in the area of expansion would net 6 more units. This would also revise the affordability status of the existing capacity for potential secondary units in this portion of the R-1 District (which totals 40, but 10 to 25 of these may have also been included in the R-1 District count, above) and the 1 additional unit possible through a lot split at 460 Klamath Street (also included in the R-1 District's existing capacity) to the very low to low income category--so as not to double-count potential units already considered in the R-1 District, credit would be claimed for 15 (40 minus 25) such units in this analysis. Allowing 2 units on sites at least 4,356 sq. ft. in area would net 13 additional units. Increasing the density further to 1 unit per 2,000 sq. ft. (while still allowing 2 units on sites at least 4,950 sq. ft. in area) would net 11 more units, and then allowing 2 units on sites at least 4,000 sq. ft. in area would net 4 additional units. Subject to the requirements of AB 2348, these 21 to 49 units would increase the potential units would be counted toward the City's RHNA share of low and very low income affordable housing (157 units), at least 50% of which (79) must be on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted.

Minimum Density in the R-2 District--It should be noted that adopting a minimum density standard in any zoning district will have a number of implications. For example, a single-family house on a 5,000 sq. ft. site in a district with a minimum density of 1 unit per 2,178 sq. ft. could not be replaced in kind, but instead would have to be replaced with a duplex, unless, per Government Code Sections 65863(b) & (c), the City can find that:

- (1) The reduction is consistent with the adopted general plan, including the housing element.
- (2) The remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584.

Otherwise, the City will need to identify "sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity...to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584." Depending upon the circumstances (see BMC Sections 17.02.560.A & C and 17.38.060 in regards to damaged or destroyed "nonconforming facilities"), the findings to grant a Variance to the minimum density standard may also have to be made.

To accommodate such situations and others where it may not be possible to comply with the minimum density standard, more than the minimum number of sites required to satisfy the RHNA should be identified to provide some extra capacity. This would also provide a greater range of opportunities to provide affordable housing.

General Plan Implications--To maintain consistency with the General Plan, the land use designations of "Residential: 2 ½-14 DU/AC" (for the R-1 and R-2 Districts) and "Residential: 15-30 DU/AC" (for the R-3 District) should be revised to reflect the net acre density (excluding land area devoted to public rights-of-way for streets and utilities) for whatever density is ultimately chosen:

<u>1 dwelling unit per</u>	=	<u>dwelling units per acre</u>
20,000 sq. ft.		2 ½ (2.178)
5,000 sq. ft.		9 (8.712)
2,500 sq. ft.		18 (17.424)
2,475 sq. ft.		18 (17.6)
2,178 sq. ft.		20
2,000 sq. ft.		22 (21.78)
1,500 sq. ft.		30 (29.04)

It may also be necessary to clarify some existing policies and programs in the current General Plan to assure that revising or expanding the R-2 District will not threaten the existing residential character of Central Brisbane. For example, the current 0.72 floor area ratio standard is not proposed to be increased, which will maintain the scale of development currently permitted. The Commission should consider allowing "dwelling groups" as a permitted use (rather than a conditional one) to encourage breaking up multi-family development into smaller structures (see BMC Sections 17.08.030.H & 17.10.030.H). Please also refer to the Design Review section below.

R-3 District: The R-3 District mainly consists of properties fronting on the portion of San Bruno Avenue with a 70 ft. right-of-way, as well as Plumas Street, portions of San Francisco Avenue, Alvarado Street and Tulare Street and the west side of Thomas Avenue. The R-3 District allows a maximum density of 1 unit per 1,500 sq. ft. (29 units per net acre) and no set minimum density.

The 1999-2006 Housing Element identified the reasonable capacity for 92 dwelling units on vacant and partially developed sites in the R-3 District within its planning period, including the possibility of netting additional units by aggregating properties and replacing existing housing with higher density development, as well as by rezoning 4 properties entirely or partially within the R-1 District. Building permits were issued for 9 units during that time, including the Habitat for Humanity project at 20-38 Plumas Street which provided 5 units affordable to very low income households at density of 1 unit per 2,000 sq. ft. of lot area. The current estimate for the 2006-2014 planning period is 67 units. Note that this does not assume any aggregation/replacement, due to the lack of lot acquisition and merger activity to date in the district. In addition, a building permit has already been issued during the current planning period for a triplex which resulted in a net increase of 2 units.

As the housing stock ages (the average year of construction on the underdeveloped sites is 1949), the potential that existing single-family houses will be converted or expanded into multi-family housing or replaced entirely will increase. For example, the existing single-family house at 661 San Bruno Avenue, built in 1929, is proposed to be demolished and replaced with a four-plex. In addition, the new inclusionary housing requirements (BMC Chapter 17.31) do not require that

projects of 5 or fewer units include below-market-rate ones, so as not to discourage smaller infill projects from developing to their full zoning potential.

It should also be noted that the residential development potential of the Brisbane Elementary School site, 56,906+/- sq. ft. of which is located in the R-3 District, has not been included in these calculations. Staff recommends that the site should be designated and zoned with the General Plan's Public Facilities and Parks land use designation, since there no indication that this site would be converted to residential use under its current R-3 zoning.

Expanding the R-3 District--There is some limited potential to expand the R-3 District by rezoning split zoned properties that are partially located in the R-1 District. As a general policy, properties should not be split zoned between two zoning districts, due to conflicting regulations that may apply. There are 4 such cases:

43 Alvarado Street (APN 007-233-060): This 6,348+/- sq. ft. property is south of the apartment building at 21 Alvarado Street. If it were rezoned entirely to the R-3 District, its development potential would increase by 3 units from 1 (the existing house) to 4. Given that the existing house dates back to 1930, there is the realistic potential that rezoning could provide the incentive to build additional units on this site within the 2006-2014 planning period.

298 San Bruno Avenue (APN 007-284-240): If this 11,693+/- sq. ft. property were rezoned entirely to the R-3 District, its development potential would increase by 1 unit from 6 to 7. The site is currently occupied by the Baptist Church, built in 1948, but there is no indication that it would be repurposed for residential development during the 2006-2014 planning period.

312 San Bruno Avenue (APN 007-332-060 & -080): The 5,370+/- sq. ft. parcel developed in 1949 with a single-family residence at 312 San Bruno Avenue is within the R-3 District. Under that zoning, it has the potential to be developed with a total of 3 units. Under the same ownership but within the R-1 District is a 2,638+/- sq. ft. vacant parcel at the rear with frontage on Mendocino Street. This parcel has been recognized as a substandard lot that could be developed with a single-family residence per BMC Sections 17.06.040 & 17.32.100. If the two parcels were combined under R-3 District zoning, the development potential could increase by 1 unit to a total of 5.

285 Alvarado Street (APN 007-363-050): If this 9,800+/- sq. ft. property were rezoned entirely to the R-3 District, its development potential would increase by 2 units from 4 to 6, but because the site is in current use by the Catholic Church, its residential development potential would not be counted in the 2006-2014 planning period.

There is also some limited potential to expand the R-3 District by extending the district boundaries to include nearby properties within the R-1 District that are large enough to accommodate multi-family development.

49 San Francisco Avenue (APN 007-233-020 & -030): This 7,583+/- sq. ft. property is located north of the apartment building at 21 Alvarado Street. It is located where the right-of-way widens beyond 50 ft. as Alvarado and Mariposa Streets intersect with San Francisco Avenue. If this property were rezoned from the R-1 to the R-3 District, its development potential would increase by 4 units from 1 (the existing house, originally built in 1932) to 5. Given the age of the existing building, similar to that of houses at 248 Monterey Street and 661 San Bruno Avenue currently proposed to be replaced with higher density housing, there appears to be a realistic capacity within the current planning period for a net increase of 4 units at this site with rezoning.

55 San Francisco Avenue (APN 007-233-010): This 5,976+/- sq. ft. property is located northeast of 49 San Francisco Avenue on a 51 ft. wide right-of-way. If this property were rezoned from the R-1 to the R-3 District, its development potential would increase the unit potential by 2 units from 1 (the existing house, originally built in 1935) to 3. Given the age of the existing building, there appears to be a realistic capacity during the current planning period for a net increase of 2 units at this site with rezoning.

(850) San Bruno Avenue (APN 007-551-030): This 19,048+/- sq. ft. vacant site is located at the southwest corner of San Bruno Avenue and Annis Road. Although it was identified for rezoning in the 1999-2006 Housing Element, endangered butterfly species' habitat has since been identified on the property. Because the property is located outside the jurisdiction of the San Bruno Mountain Area Habitat Conservation Plan (HCP), development could potentially require approval of a take permit by the US Fish & Wildlife Service. In addition, significant intersection improvements may be required to provide proper access for a high density project at this location. Thus, its multi-family development potential would not be contemplated in the 2006-2014 planning period.

Revising the zoning of these six sites (excluding 850 San Bruno Avenue) would net an additional 10 units.

Note that these figures assume that the R-3 District regulations would be amended to set a minimum (not maximum) dwelling unit density of 1 unit per 1,500 sq. ft. of lot area, which would more than comply with AB 2348. If the minimum were set at 1 unit per 2,178 sq. ft. (20 units per acre), these numbers would be significantly reduced, making it more difficult to achieve the RHNA goals.

LOT AREA	MINIMUM DWELLING UNIT DENSITY	
	1/2,178 sq. ft.	1/1,500 sq. ft.
2,500 sq. ft.	1	1
5,000 sq. ft.	2	3
7,500 sq. ft.	3	5
10,000 sq. ft.	4	6

Intensifying the R-3 District—Until 1984, the portion of the current R-3 District in the vicinity of Plumas, Mariposa and Alvarado Streets south of San Francisco Avenue was zoned R-4, a district which had a maximum density of 1 unit per 1,000 sq. ft., a 70% lot coverage limit and a 35 ft.

height limit. It was under these zoning regulations that the existing apartment buildings at 21 Alvarado Street, 10 Plumas Street and 141 San Francisco Avenue were built. Staff only cites this as an instance in which higher density residential development was once allowed in Brisbane; due to the limited vacant sites in the current R-3 District, it is unlikely that intensifying the permitted density would generate significant additional development potential during the current planning period.

Minimum Multi-Family Site Area in the R-3 District—BMC Section 17.10.040.B provides that, as an exception to the 5,000 sq. ft. minimum building site area, a lot at least 4,950 sq. ft. in area shall be considered conforming for a development density of 3 units. If that were reduced to 4,500 sq. ft. (the minimum to allow 3 units at 1 unit per 1,500 sq. ft.) or 4,356 sq. ft. (as would be considered for the R-2 District), it appears that only 1 additional property, the vacant 4,839+/- sq. ft. site at the northeast corner of San Bruno Avenue and Santa Clara Street [(597) San Bruno Avenue], would qualify. This seems appropriate, since corner building sites have better potential for multi-family development, as evidenced by the three-unit project recently built across the street at 291-292-295 Santa Clara Street. Without the additional street frontage, sites less than 50 ft. wide have difficulty accommodating the required parking for multi-family development (5 ft. side setback + 0.5 ft. thick “garage” wall + 18 ft. long space + 26 ft. long aisle = 49.5 ft.). Under the current 5,000 sq. ft. lot area minimum (BMC Section 17.10.040.A), any smaller site can only be developed with a single-family residence, even though it might have sufficient land to otherwise qualify for 3 units. To allow this vacant corner site to only be developed with a single-family residence could be considered an inappropriate underutilization of infrastructure resources and a loss of an appropriate infill opportunity. Revising the minimum lot area for which multi-family development would be permitted would net 2 additional units.

With a minimum dwelling unit density of 1 unit per 1,500 sq. ft. and a minimum lot area of 4,356-4,500 sq. ft., all of the unit potential in the R-3 District would qualify as affordable to lower income households per AB 2348, dependent upon limiting design review so that it could not be used as a means to reduce the number of otherwise permitted units. This would range from 69 (2 units added since 2006 plus 69 potential units under the current zoning) to 80 units (with zoning map and text amendments regarding 49 and 55 San Francisco Avenue, 43 Alvarado Street, and 312 and 597 San Bruno Avenue).

Height Limit in the R-3 District--As noted above, HCD has indicated that a height limit that allows at least 3 stories minimum would be expected in order to accommodate multi-family development (“Housing Element Questions and Answers,” October 2006, page 41). Currently, the height limit in the R-3 District is 28 ft., increasing to 30 ft. on sites with a slope of at least 20% (BMC Section 17.10.080.G.1). Three units with a mansard roof were able to be built at the southeast corner of Santa Clara Street and San Bruno Avenue (291, 293 & 295 Santa Clara Street) under the 28 ft. height limit, but a proposal for four units with a peaked roof encountered difficulties complying with the 28 ft. height limit while providing the required garage to accommodate an accessible van, necessitating approval of a Variance. Because Title 24 now requires that all buildings with at least 4 condominium units or 3 rental units must comply with a number of accessibility requirements, consideration should be given to raising the height limit to 30 ft. for buildings with 3 or more units.

R-BA District: The R-BA District covers the unrecorded Brisbane Acres subdivision which wraps around Central Brisbane on the slopes of San Bruno Mountain. The maximum density permitted in this district, not including secondary dwelling units, is 1 unit per 20,000 sq. ft. (2.2 units per net acre). Secondary dwelling units may be permitted on 20,000 sq. ft. sites subject to the development standards contained in BMC Section 17.43.030. Density transfers at the ratio of 1 unit per 20,000 sq. ft. of dedicated open space may be permitted from qualifying sites in the upper Brisbane Acres to suitable sites with available infrastructure in the lower Brisbane Acres per the requirements contained in BMC Section 17.12.050, consistent with the San Bruno Mountain Area Habitat Conservation Plan.

The 1999-2006 Housing Element identified the maximum potential for 236 dwelling units (not including secondary dwelling units) in the R-BA District, which was adjusted to 169 units for the planning period. No building permits were issued for new units from 1999 to 2006, and the City's purchase of 34.25 acres with Federal or State open space funds effectively eliminated the density transfer potential for as many as 74 units, due to the restrictions attached to those funds. This reduction, though, did not affect the City's ability to meet its RHNA obligations [see Government Code Sections 65863(b) & (c) and the attached analysis of Compliance with Government Code Section 65584.09 (AB 1233)].

The current estimated maximum potential is for 111 single-family dwelling units and secondary dwelling units (not including any within the upper Brisbane Acres, where rights to secondary dwelling units are not subject to transfer). Based upon the 2 units for which building permits were issued for the first 2 1/2 years of the 2006-2014 planning period (1 single-family residence and 1 secondary dwelling unit as part of density transfer of 2 more units to San Diego Court in exchange for dedication of 1 acre of open space), the current estimate for the remaining 5 1/2 years of the 2006-2014 planning period would be for 4 more units (1 single-family residence, 2 density transfer units and 1 secondary dwelling unit). It should be noted that the San Diego Court density transfer project was the first approved by the City, likely as a result of the updating of BMC Section 17.12.050 in 2003 per 1999-2006 Housing Element Program H18b to simplify the transferable development rights regulations (also see 1994 General Plan Program 245b).

Although secondary dwelling units were not included in the 1999-2006 Housing Element's projections for the R-BA District, the secondary unit already approved during the current planning period demonstrates their potential. Secondary dwelling units are permitted in the R-BA District subject to the same regulations as in the R-1 District, except that the minimum lot size is 20,000 sq. ft. and that the right to a secondary dwelling unit is not subject to density transfer (BMC Section 17.17.12.050.A.4). It should be noted that secondary dwelling units may be one means of complying with the City inclusionary housing provisions (per BMC Section 17.31.040.A.3) for projects subject to its requirements (6 or more units, which in the R-BA District would involve at least 2.75 acres of land).

Access Constraints--In general, development of individual lots is likely be constrained by the inadequate access provided by the very narrow private roadways serving the lower portions of this district, while the upper portions have no improved access beyond an occasional fire trail. BMC Section 12.24.010.E requires that the entire length of the private roadway to a development

site be improved to City standards (BMC Section 12.24.010.B) and offered for dedication. For those private roadways (including Annis, Beatrice, Gladys and Harold Roads and Joy Avenue) having a potential right-of-way width less than the State's 40 ft. standard, special findings must be made for approval by the City Council per BMC Section 12.24.010.D, unless additional right-of-way is dedicated by the abutting property owners. Street improvement projects of this magnitude would typically be dependent upon the cooperation of the other property owners along the private roadway, who would have to agree to the formation of an assessment districts to take on such a project. To address this situation, the draft General Plan update proposes to replace 1994 General Plan Program 51a with the following:

Program TC.6f Encourage the formation of assessment districts where appropriate, for needed circulation improvements

Program TC.26a Create assessment districts and utilize redevelopment authority, where appropriate, for needed circulation improvements.

Another means to improve inadequate access is by encouraging density transfers, such as the San Diego Court projects which included the development of a new public street. Density transfers could be further encouraged through additional clarifications of the regulations. For example, if multiple properties are acquired for dedication as open space through density transfer, then combined area should be used to calculate the number of transfer units, not each property individually (BMC Section 17.12.050.A.1). In addition, the undeveloped "paper streets" in the upper Brisbane Acres (totaling 6.69 acres) should recognized for their density transfer value, 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). These clarifications would be in addition to the new program proposed in the draft General Plan update to encourage clustering per the San Bruno Mountain Area Habitat Conservation Plan:

Program LU.96b Consider adoption of provisions to grant reductions in the lot width, depth and minimum setbacks (while maintaining the 20,000 sq. ft. minimum lot area), to encourage clustering of development to allow greater portions of building sites to remain undisturbed, to provide for habitat corridors, to avoid development within canyon bottoms or ridgelines, and/or to avoid areas of slope instability.

To accommodate development on the streets that specifically feed into San Bruno Avenue, circulation improvements may be required to provide safe access, and signalization with lane reconfiguration will be needed at the intersection of Bayshore Boulevard and San Bruno Avenue to maintain acceptable levels of service. Regarding this last point, please note the following programs from the draft General Plan update:

Program TC.9a Update the mitigation plan that identifies improvements to Bayshore Boulevard and other major arterial streets to enhance efficiency and maintain an appropriate level of service.

Program TC.9b Develop a program of traffic impact fees to fund the mitigations in accordance with the impacts of new and intensified development and in coordination with the San Mateo County Congestion Management Plan, as applicable.

Program TC.9c In developing an impact fee program, consider the impacts of any development proposal on all affected intersections and street segments in relation to the adopted level of service standards.

Zoning Alternatives for the Lower R-BA District--Another option to consider would be to rezone portions of the lower Brisbane Acres to higher density. For example, an application has been submitted to subdivide the 4.4-acre property at the end of Santa Clara Street (north of the canyon that begins on the Colletti property at the end of Thomas Avenue) into 21 lots, each at least 5,000 sq. ft. in area with an additional 34,918 sq. ft. proposed as habitat and park space and 55,400 sq. ft. proposed to be dedicated as public right-of-way. Under the current R-BA District zoning, this property could be subdivided into 9 lots, each at least 20,000 sq. ft. To transfer density for the remaining 12 units, more than 5.5 acres of potential open space must be offered for dedication. To date, the applicant has only been able to arrange for a 3-unit density transfer; although, there are 24.25 to 30.91 acres of privately-owned property left with open space value in the upper Brisbane Acres.

If there are no more willing sellers of potential open space for density transfer in the upper Brisbane Acres, should the City consider rezoning this 4.4-acre property and the adjoining 0.771-acre property (identified as Block 1 on the attached R-BA District Zoning Alternatives Map) to a density similar to the adjoining R-1 District to the west, so as to maintain its apparent development potential? If so, any development should be required to show how it would comply 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). In addition, circulation improvements should be required to provide sufficient access to accommodate the additional units and improve safety in the area. Secondary dwelling units could be permitted per the same standards as in the R-1 District. A potential formula for single-family dwelling unit density under this zoning alternative would be:

$$[(A - 40\%A) - \text{ROW} + \text{OSD}] / 5,000$$

A = total area, including any public right-of-way dedication
ROW = public right-of-way dedication
OSD = any off-site open space dedication in the upper Brisbane Acres

Depending upon the amount of conserved habitat that might be provided off-site through open space dedication and assuming 55,400 sq. ft. of right-of-way to be dedicated, staff estimates that such rezoning could result in 17 to 26 units (including 2-3 secondary dwelling units required to comply with the City's inclusionary housing provisions), compared to the 20 units theoretically permitted under the current R-BA District zoning. Please refer to the attached Zoning Alternative: R-BA District North of Colletti Canyon table.

On the other hand, with as much as 30.91 acres of potential open space available for density transfer (including 6.69 acres of “paper streets”), it may be premature to consider any rezoning of this area. Instead, perhaps the density transfer ratio should be revised as a sliding scale, so that while 20,000 sq. ft. of dedicated open space would continue to equal rights to transfer 1 dwelling unit, every additional 20,000 sq. ft. might equal 2 more units.

A different situation exists on the south side of the canyon that extends from the Colletti property at the end of Thomas Avenue (identified as Blocks 2 & 3 on the attached R-BA District Zoning Alternatives Map). This area, north of San Bruno Avenue, already includes the Joy Avenue Condominiums (developed at 1 unit per 1,979 sq. ft.) and borders the R-3 District which includes the four apartment buildings on the west side of Thomas Avenue (developed at 1 unit per 1,002-1,009 sq. ft.). Thus, multi-family development would not be out of character for this portion of the Brisbane Acres. To comply with the HCP's goal of protecting 40% of the Brisbane Acres administrative parcel as conserved habitat (including butterfly corridors to connect the Mountain to existing and proposed grassland habitat above Bayshore Boulevard), one approach would be to count only 60% of the site area in calculating the minimum/maximum permitted unit density. Credit could be given for any off-site open space dedication in the upper Brisbane Acres. Given that, rezoning this area to a minimum density of 1 unit per 2,178 sq. ft. (20 units per acre, so as to be considered capable of producing multi-family housing affordable to lower income households per AB 2348) could increase its theoretical development potential (excluding existing units) by 61 units (from 28 currently, including potential secondary dwelling units, to 89) for the properties on Thomas Avenue (Block 2) and by 36 units (from 13 currently, including potential secondary dwelling units, to 49) for the properties on Joy Avenue (Block 3). Please refer to the attached Zoning Alternative: R-BA District South of Colletti Canyon table.

A more conservative alternative would be to revise the proposed General Plan program encouraging clustering, which is intended to help reduce infrastructure costs and encourage affordable housing by minimizing the development footprint. The proposed program could be expanded to allow the permitted single-family units (no secondary dwelling units) to be clustered as a multi-family development without increasing the currently permitted dwelling unit density:

~~Consider adoption of~~ *Adopt provisions to authorize the Planning Commission to grant reductions in the lot area, width, depth and minimum setbacks and to allow the permitted single-family units to be configured as multi-family dwellings (while maintaining the maximum permitted density of 1 unit per 20,000 sq. ft. minimum of lot area), to encourage clustering of development to allow greater portions of building sites to remain undisturbed, to provide for habitat corridors, to avoid development within canyon bottoms or ridgelines, and/or to avoid areas of slope instability.*

Clustering, alone, may not be sufficient to encourage the provision of affordable units in development projects, particularly those too small to qualify for density bonuses or to be subject to the City's inclusionary housing provisions. As noted above, AB 2280 (Saldana 2008) provides that if the City chooses to grant a proportionately lower density bonus for projects that do not qualify under Government Code Section 65915 or to grant a density bonus greater than required by the Government Code for projects that do qualify, it may adopt a local ordinance that specifically permits this. This could be done by amending 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 the Government Code 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.

Another potential location for an affordable housing development would be the 4 parcels south of San Bruno Avenue and below Gladys Avenue that the Redevelopment Agency is in the process of purchasing, including a sliver of land within the SCRO-1 District. These parcels (identified as Block 4 on the attached R-BA District Zoning Alternatives Map) total 4.029 acres. This property could be subdivided into 8 single-family lots under the R-BA District zoning. This is based upon the assumption that no more than 15,500 sq. ft. of the site must be dedicated as public right-of-way along its eastern edge (in addition to acquisition of the existing McLain Road easement as public right-of-way) in order to provide acceptable access into the interior of the property. That route would be preferable to using Gladys Avenue as access along the western edge of the site. This is because Gladys Avenue would have to be widened into the intended butterfly corridor accessing the grassland habitat planned at 3710-3760 Bayshore Boulevard (a portion of which was recently approved by the Planning Commission to pass through 3836 Bayshore Boulevard). With density transfers, the site could be further subdivided into 5,000 sq. ft. minimum size lots. Under the current density bonus ordinance, the number of single-family lots could be increased by as much as 35%, depending upon the number of affordable units included in the project.

The Redevelopment Agency purchased this property with the intent that it could be developed with affordable housing. Previously, the Redevelopment Agency has worked with the non-profit Habitat for Humanity organization on projects that were 100% affordable to very low income households, with compact building footprints and low floor area ratios. The potential of this site to provide a significant number of affordable housing units appropriate to the site could be increased through a combination of measures listed above. Density transfers could be promoted by using a sliding scale for the transfer ratio, while multi-family clustering could be used to concentrate development on the lower portion of the site. Expanded density bonus provisions could be used to encourage a higher percentage of affordable units than the minimum required. For example, if 1 of the 8 permitted units were made affordable to very low income households in compliance with BMC Section 17.31.050, the project could currently qualify for the maximum permitted 35% density bonus of 3 more units. Under the ordinance, that bonus could not be increased, even if 100% of the units were affordable to very low income households. Amending BMC Section 17.31.050 per Government Code Section 65915(n) to specifically permit the City to grant a density bonus greater than required by State law would address this situation. It could also be amended to allow the granting of additional incentives to provide affordable housing, such as setback and lot size exceptions to accommodate a clustered multi-family development.

NCRO-2 District: The NCRO-2 District is the Downtown Brisbane Neighborhood Commercial District that covers much of Visitacion Avenue and a portion of San Bruno Avenue. Residential uses in this district are a conditional use permitted only above or behind commercial uses. The 1999-2006 Housing Element identified the reasonable capacity for 15 dwelling units on vacant and partially developed sites in the NCRO-2 District within its planning period. One unit was built during that time at 322 Visitacion Avenue. Since the beginning of the current planning

period (as of 12/31/08), building permits have been issued for 15 units as part of the mixed use project at 1 San Bruno Avenue (including 1 unit affordable to low income households and 1 unit affordable to moderate income households), that replaced a former gas station. The Planning Commission approved a 2-unit addition to the rear of the restaurant at 160 Visitacion Avenue in 2007, but building permits have not yet been issued for the project (addressed as 418 Monterey Street).

Without any unit density standards in the NCRO-2 District, it is difficult to speculate on housing development potential. The recently completed project at 1 San Bruno Avenue was developed at a density of 1 unit per 1,000 sq. ft. This is higher in density than the 1 unit per 1,300+/- sq. ft. of the senior housing complex completed at 2 Visitacion Avenue during the previous planning period. It is unlikely, though, that these densities can be achieved on smaller sites. For example, only 1 residential unit was accommodated on the 2,500 sq. ft. site at 322 Visitacion Avenue, also constructed during the previous planning period.

1 San Bruno Avenue	15 units*/14,900 sq. ft. = 1 unit/1,000 sq. ft.
2 Visitacion Avenue	14 units**/18,208 sq. ft. = 1 unit/1,300 sq. ft.
418 Monterey Street	2 units*/4,150 sq. ft. = 1 unit/2,075 sq. ft.
322 Visitacion Avenue	1 unit*/2,500 sq. ft. = 1 unit/2,500 sq. ft.

*not including 1 commercial unit

**not including senior center

Another complicating factor is the City's parking regulations. Specifically, in the NCRO-2 District, no parking is required to be provided for storefront uses, only for commercial uses on the second floor and for residential uses (BMC Sections 17.02.746 & 17.14.090). While there are no vacant properties per se in the NCRO-2 District, there are a number that are used only for parking. Those that provide parking for storefront uses for which parking is not required could technically be developed (as is the case at 418-420 Monterey Street, where the off-street parking for the restaurant at 160 Visitacion Avenue has been approved to be replaced with a duplex), but at an impact to the supply of public on-street parking.

For the purposes of this analysis, staff would consider a potentially underdeveloped property to be one which is at least 4,000 sq. ft. in area with no more than 1 story of occupied development. Applying the average density of the 3 largest projects approved and/or built within the past 10 years (1 unit per 1,458 sq. ft.) to following properties, we would estimate the realistic development capacity to be 17 units.

23 San Bruno Avenue	5,000/1,458 = 3
130 Visitacion Avenue	5,000/1,458 = 3
160 Visitacion Avenue/418 Monterey Street	4,150/1,458 = 2
163 Visitacion Avenue	7,289/1,458 = 5 - 1 existing = 4
185 Visitacion Avenue	4,620/1,458 = 3
248 Visitacion Avenue	5,000/1,458 = 3 - 1 existing = 2

Given that 15 units have already been built in the NCRO-2 District during the first third of the current planning period, it would not be unrealistic to project the capacity for an additional 15 units during the remainder of the planning period. Note that the property at 249 Visitacion

Avenue was not included, because its parking is located off-site, so that it could not be credited for any residential development potential. Please refer to the attached NCRO-2 District Development Potential table.

There is some limited potential to expand the NCRO-2 District by rezoning split zoned properties that are partially located in the adjoining R-1 District or R-2 District. As a general policy, properties should not be split zoned between two zoning districts, due to conflicting regulations that may apply. There are 6 such cases with the combined estimated capacity for 3 additional units, if they were rezoned:

3 Inyo Street (ptn. of APN 007-221-180): This 2,500 sq. ft. portion of Visitacion Gardens senior housing complex is technically within the R-2 District. Because it was only recently developed, no additional residential development potential would be expected in the 2006-2014 planning period.

(330) Mariposa Street (APN 007-221-160 & 007-221-020): These small parcels within the R-2 District provide parking for the two-story office building at 44 Visitacion Avenue. No residential development potential would be expected from rezoning these parcels.

(335) Mariposa Street (APN 007-271-060 & -070): This 5,000 sq. ft. property is the western half the parking lot at the southwest corner of Visitacion Avenue and Mariposa Street, serving the Brisbane Inn across the street. Under the current R-2 District zoning, this property has the potential for 2 residential units. At an estimated density of 1 unit per 1,458 sq. ft. (see above), this might be increased by 1 with rezoning to the NCRO-2 District, depending upon how the parking requirement for the upper floor of the Brisbane Inn is calculated and then applied to this property.

(348) Monterey Street (APN 007-281-100): The Redevelopment Agency owns this 4,587+/- sq. ft. vacant parcel in the R-2 District and the adjoining 7,289 sq. ft. underdeveloped site at 163 Visitacion Avenue. Under the current R-2 District zoning, this property could only be developed with a single-family dwelling. At an estimated density of 1 unit per 1,485 sq. ft. (see above), that potential could be increased by 2, if this split-zoned situation were corrected.

(4--) Mendocino Street (APN 007-272-230): This 5,000 sq. ft. park within the R-1 District appears to be partially occupied by Community Center building at 250 Visitacion Avenue. Both parcels are owned by the City. No residential development potential is contemplated.

(331) Mendocino Street (APN 007-321-060): This 5,277 sq. ft. parcel is located within the R-1 District. It provides parking for the commercial and residential units at 315-349 Visitacion Avenue. It appears unlikely that additional parking could be provided on this site to accommodate more residential units.

Revising the zoning of these six split-zoned sites would result in a net increase of 2 to 3 units for the NCRO-2 District's development capacity, but it appears unlikely that this potential development would be realized during the current planning period.

Although the as-built densities in the NCRO-2 District could support housing affordable for lower incomes according to AB 2348 (Government Code Section 65583.2), staff notes that to fully qualify under AB 2348, minimum/maximum unit densities would be required to be set for the NCRO-2 District, and residential uses could no longer be subject to Use Permit or Design Review approval as they currently are (which proved to be an effective tool in redesigning the proposed project at 418-420 Monterey Street to gain community support).

Zoning District: NCRO-2 Downtown Brisbane Neighborhood Commercial District—residential conditionally permitted as part of a mixed use, no minimum or maximum unit density set

General Plan Designation: Neighborhood Commercial/Retail/Office

Trend: Replace or add to existing single-story development on sites at least 4,000 sq. ft. in area, with average residential density of 1 unit per 1,458 sq. ft.

Example: Building permit issued in 2006 for 15 residential units replacing gas station on 14,900 sq. ft. site at 1 San Bruno Avenue; Planning Commission approval for duplex addition at 418 Monterey Street to restaurant at 160 Visitation Avenue on 4,150 sq. ft. site in 2007

Realistic Capacity for 2006-2014:

Building Permits Issued 7/1/06-12/31/09: 15 units, including 1 affordable to low income households and 1 affordable to moderate income households

Under Current Zoning: 17 additional units at 1 unit per 1,485+/- sq. ft. on sites at least 4,000 sq. ft. in area with no more than 1 story of existing occupied development (all assumed to be affordable to above moderate income households)

23 San Bruno Avenue (APN 007-223-080) 5,000 sq. ft. with 1-story commercial building
3 units

130 Visitation Avenue (APN 007-271-040) 5,000 sq. ft. with 1-story store
3 units

160 Visitation Avenue/418 Monterey Street (APN 007-271-020 & 170) 4,150 sq. ft. with restaurant
2 units

163 Visitation Avenue (APN 007-281-080) 7,289 sq. ft. with vacant restaurant/apartment
4 additional units

185 Visitation Avenue (APN 007-281-090) 4,620 sq. ft. with 1-story social club
3 units

248 Visitation Avenue (APN 007-272-030) 5,000 sq. ft. with single-family residence
2 additional units

With Expanded District Boundaries: 3 additional units

(335) Mariposa Street (APN 007-271-060 & -070) 5,000 sq. ft. with parking
1 unit in addition to 2 as R-2

(348) Monterey Street (APN 007-281-100): 4,587 sq. ft. vacant
2 units in addition to 1 as R-2

SCRO-1 District: This is a mixed use district located on the west side of Bayshore Boulevard, south of Old County Road, covering what is identified in the General Plan as the Southwest Bayshore subarea. All uses in the district require Use Permit approval. Maximum residential densities are set on a sliding scale to encourage the provision of more housing. Single-family dwellings are permitted a 1 unit per 7,500 sq. ft., duplexes are permitted at 1 unit per 3,750 sq. ft., and multi-family dwellings are permitted at 1 unit per 1,500 sq. ft. It should be noted that the

district is grouped with the R-BA District in the San Bruno Mountain Area Habitat Conservation Plan; although, the City's density transfer provisions do not apply to this district.

The 1999-2006 Housing Element identified the reasonable capacity for 169 dwelling units on vacant and partially developed sites in the SCRO-1 District within its planning period. This was based in part upon the rezoning of 4 split-zoned properties and the revision of the general use regulations for mobilehome parks (BMC Section 17.32.110) to make them consistent with the applicable zoning district regulations. One unit was built during that time.

Topographical Constraints--To update the realistic development capacity of the SCRO-1 District for the 2006-2014 planning period, the district must be analyzed in smaller portions based upon general topography, lot size and existing development. While the flatter sites found on either side of San Bruno Avenue should be able to accommodate higher density development, no projects have actually been built to support the 1 unit per 1,500 sq. ft. maximum density as a realistic basis for estimating development capacity. The existing mobilehome park at 3700 Bayshore Boulevard is developed at a density of approximately 1 unit per 2,250 sq. ft. The Planning Commission just recently approved a 3-unit mixed use project at 3836 Bayshore Boulevard. Because it will replace the existing storage yard on the lower 0.2 acres of the site (the upper portion is already developed with a single-family house, not part of the project), it not only demonstrates this project's density of approximately 1 unit per 3,000 sq. ft. is a realistic basis for current projections, but also that the market is moving toward private redevelopment of the existing warehouse sites in the district. Based upon that density and assuming that this trend would continue, staff estimates the realistic capacity for 9 units on the undeveloped, flatter portions of the SCRO-1 District during the current planning period (including the 3 approved at 3832-3836 Bayshore Boulevard). This assumes no replacement of existing buildings or consolidation of existing small lots, given the lack of such activity to date. Please refer to the attached Realistic Additional Unit Potential of "Flat" Sites in SCRO-1 District During Current Planning Period table.

As for the steeper properties toward the north and south ends of the district, the City approved a 30-unit condominium project at 3710-3760 Bayshore Boulevard in 2005. Geotechnical work for the project is on-going, but staff expects that the building permits will be issued during the current planning period. The approved density for this project is 1 unit per 4,236 sq. ft. In addition, preliminary proposals have been made for development at 3700 Bayshore Boulevard, 3708 Bayshore Boulevard and 4010-4030 Bayshore Boulevard. If a density of 1 unit per 4,236 sq. ft. were assumed to be reasonable for these sites and the other vacant steep portions of the SCRO-1 District, there would be the capacity for 73 more units during the planning period. Please refer to the attached Realistic Additional Unit Potential of "Steep" Sites in SCRO-1 District During Current Planning Period table. Combining the development potential for the "flat" and "steep" sites, the grand total for the SCRO-1 District is 82 units for 2006-2014.

In terms of affordability, even though the existing mobilehome park provides some of the most affordable housing in Brisbane, it does not appear that the City can rely upon this district as a source of affordable housing under AB 2348. To count as affordable to lower income households under AB 2348, a minimum density of 1 unit per 2,178 sq. ft. (20 units per acre) would have to be adopted, multi-family residential use would have to be allowed as a use by

right, and design review would have to be limited. Given the topographical constraints within the district, aside from any endangered species habitat and visual impact issues (BMC Sections 17.16.110), such a minimum dwelling unit density does not seem practical, particularly with the existing 35 ft. height limit.

This is not to say that the emphasis of the district could not be shifted from the commercial/retail/office side of the mix of uses more toward the multi-family residential. For example, high density housing could be made a permitted use in the district. Lower density housing could remain a conditional use so as to discourage underdevelopment, assure that any development will be designed to accommodate future additional housing development to the full potential of the property, and possibly encourage consolidation of some of the smaller or narrower sites.

Convalescent Homes--When the Planning Commission last comprehensively reviewed the SCRO-1 District regulations in 2006, it was in terms of implementing the policies and programs in the 1999-2006 Housing Element. At that time, the Commission preliminarily determined that convalescent homes should be added as a conditional use, so as to identify a zoning district within which this type of housing for persons with disabilities could be allowed. This would help complete implementation of Housing Element Program H5b:

Analyze and determine whether there are constraints on the development, maintenance and improvement of housing intended for persons with disabilities, consistent with Senate Bill 520 enacted January 1, 2002, the federal Fair Housing Act and the California Fair Employment and Housing Act. Include in the analysis an evaluation of existing land use controls, permit processing procedures, and building codes. Address any constraints found by removing them or providing reasonable accommodation for housing intended for persons with disabilities.

There are three zoning districts which permit (with or without a Use Permit) both group care homes and medical facilities: the NCRO-1 Brisbane Village Neighborhood Commercial District, the NCRO-2 Downtown Neighborhood Commercial District, and the SCRO-1 Southwest Bayshore Commercial District. The Commission found that neither the NCRO-1 nor the NCRO-2 District to be appropriate for convalescent homes, given the nature and scale of existing development in these two districts. In comparison, the SCRO-1 District has more potential sites of the size that could accommodate such a use. With a 7,500 sq. ft. minimum required lot size and most sites being over 10,000 sq. ft. in area, the SCRO-1 District would provide potential locations that could be large enough to meet the needs of such facilities:

Width	Depth	Approximate Area	Number of Assessor's Parcels	Percentage of Total Parcels
100+ ft.	226 ft.	22,600+ sq. ft.	14	39%
>50 ft/<100 ft.	226 ft.	+/-11,301-22,599 sq. ft.	9	25%
88 ft.	50 ft.	+/-4,400 sq. ft.	1	3%
75 ft.	100 ft.	+/-7,500 sq. ft.	1	3%
50 ft.	226 ft.	+/-11,300 sq. ft.	6	17%
40 ft.	226 ft.	+/-9,040 sq. ft.	1	3%
triangular	triangular	+/-2,000-12,800 sq. ft.	4	11%

As an alternative, the Northwest Bayshore subarea was suggested as a possible location for such uses, but that suggestion was not taken up by the City Council in its preliminary review of the subarea's policies and programs as part of the General Plan update.

Emergency Shelters--In addition to accommodating convalescent hospitals, the SCRO-1 District may be an appropriate location for emergency shelters. The 1999-2006 Housing Element contains the following:

Program H2h: Promptly process Use Permits for group homes that provide emergency shelter and transitional housing in the SCRO-1 District.

Government Code Section 65583 as amended in 2007 by SB2 now requires that the Zoning Ordinance identify at least one zoning district within which emergency shelters are permitted without a conditional use permit or other discretionary action (such as design review). Health & Safety Code Section 50801(e) defines "emergency shelter" as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person." The City may also 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 should otherwise be the same as would apply to residential and commercial uses within the zoning district. The Government Code requires that any necessary zoning amendments must be adopted within 1 year of adoption of the Housing Element.

According to the Brisbane Police Department, typically the number of homeless in Brisbane at any one time does not exceed 1 or 2 individuals, usually single male transients along Bayshore Boulevard. Thus, there appears to be minimal need for emergency shelters, and one should be able to provide sufficient capacity. The SCRO-1 District is an appropriate location for emergency shelters since it has the realistic capacity for development or reuse to accommodate at least 1 year-round emergency shelter. As evidenced by the existing group home in the SCRO-1 District, uses within this zone would be compatible with and suitable for emergency shelters. Although some portions of the district are steep and subject to environmental constraints, there are a number of potentially available buildings and/or sites that would be physically suitable for such uses, particularly since Bayshore Boulevard is a transit corridor providing access to job centers and community services to the north and south.

SB 2 also requires that "transitional housing" and "supportive housing" be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Health & Safety Code Section 50675.2(h) defines "transitional housing" as rental housing for stays of at least 6 months where the units are recirculated to another program recipient after a set period. Per Health & Safety Code Section 50675.14(b)(1), "supportive housing" has no limit on length of stay, is linked to onsite or offsite services, and is occupied by persons with low incomes and one or more disabilities persons with mental

disabilities, substance abuse or chronic health conditions or persons whose disabilities originated before the person turned 18. Compliance with these requirements might most easily be accomplished by amending the definition of “dwelling” in BMC Section 17.02.235 to specifically include “transitional housing” and “supportive housing” as examples, along with “manufactured housing and mobilehomes” (per 1999-2006 Housing Element Program H1e).

SRO Units--Per AB 2634, the Housing Element must consider “supportive housing single-room occupancy units” among the housing types to be considered in the analysis of potential housing sites in Government Code Section 65583(c)(1). A single-room occupancy (SRO) unit is typically a very small private room for one individual that may include a small refrigerator and/or microwave, but no permanent cooking facilities (which would make it a studio unit). Units usually share bathrooms, a living room and kitchen. While the number of such units in a building may vary, the term usually applies to facilities much larger than the typical group home. For “supportive” SRO buildings, common areas may also include meeting rooms or offices where various social services may be provided on-site. SRO units are considered a potential source of affordable housing, particularly for single, very low income individuals, including the homeless. Traditionally, residential hotels found in large-city downtowns provided this type of housing. “Hotels” are currently a conditional use in the SCRO-1 District. This category could be expanded to include those with supportive single-room occupancy units, which may be appropriate given the access to job centers and community services provided by the Bayshore Boulevard transit corridor.

Compatibility of Other Uses--Regarding other uses that are currently conditionally permitted in the SCRO-1 District, the Planning Commission had previously raised concerns about those that would clearly be incompatible with residential development, particularly light industrial uses and the existing propane sales facility. Further progress on amending the SCRO-1 District regulations, though, was sidetracked, as the issue of how to prohibit light industrial and other potentially noxious uses in the SCRO-1 District was taken up as part of the General Plan Update.

The 1994 General Plan’s Subregional Commercial/Retail/Office land use designation for the SCRO-1 District is “...devoted to subregional retail uses, personal services, restaurants and offices. Public and semi-public facilities and educational institutions may be located under this designation. Commercial recreation, residential uses, warehouse and distribution facilities, research and development, and light industrial uses may be permitted conditionally in implementing zoning districts.”

Thus far, no significant changes have been proposed to this land use designation as part of the on-going General Plan update, aside from deleting the reference to “warehouse and distribution facilities”:

Subregional/Commercial/Retail/Office (SCRO): Devoted to subregional retail uses, personal services, restaurants and offices. Public and semi-public facilities and educational institutions may be located under this designation. Commercial recreation, residential uses, research and development, and light industrial uses may be permitted conditionally in implementing zoning districts.

If the Southwest Bayshore subarea were to become a mixed-use district with the emphasis on residential over commercial, it might be appropriate to create a new General Plan land use designation that reflects this (leaving the existing SCRO designation for the Northwest Bayshore subarea which is discussed below). A new land use designation that specifically permits residential development and that limits commercial uses to those that would be compatible with housing would provide better direction for the draft Southwest Bayshore subarea program that follows:

Program LU.59a After adoption of the General Plan, review the Zoning District regulations to better define an appropriate mix of uses and address incompatible land use. Consider the elimination of outdoor sales and storage uses.

Additional guidance would be provided by the following:

Policy LU.1 Establish a mix of land uses that best serves the needs of the community; this includes establishing uses that provide a diversified economic base to maintain and increase tax revenues and contribute to the City's ability to provide services.

Program LU.1b When evaluating land uses, consider whether a use would result in adverse impacts on existing and proposed land uses nearby, and whether those impacts can be mitigated.

A particular concern for the subareas along Bayshore Boulevard is the impact of traffic upon the land uses within these subareas and the impact of those land uses upon the flow of traffic along Bayshore Boulevard. As the draft General Plan update notes in the introduction to the Land Use & Subareas chapter:

There is a unique relationship between the land use and circulation elements established in state planning law. Essentially, the two elements must be correlated. In this case, correlation means that the maximum (population) density and (building) intensity standards (see below) for land development established in the land use element do not permit a level of development (build out) that would generate traffic levels that could not be accommodated by the existing or planned road capacity, within the acceptable levels of service set forth, in the circulation element. The plan for future road capacity must be fiscally responsible.

The recently approved project at 3836 Bayshore Boulevard specifically raised concerns about left-turn conflicts and truck maneuverability. Given the stringent levels of service (LOS "C") adopted for Bayshore Boulevard's intersections with Old County Road and with San Bruno Avenue, trip generation rates are an additional concern, particularly during peak traffic periods. Thus far, the draft General Plan update would address such traffic impacts as follows:

Program LU.33g Provide standards in the Municipal Code to assure that abutting properties have adequate separation from travel-ways and protection from noise and other traffic impacts.

Policy TC.1 Consider potential traffic impacts and emergency evacuation in making land use decisions.

Policy TC.9 Maintain a level of service on arterial streets that allows Brisbane residents and businesses to comfortably and safely travel across town and to gain access to Highway 101.

Policy TC.10 The level of service for all arterial streets within the City shall not be less than LOS "D" except for the intersections on Bayshore Boulevard at Old County Road and San Bruno Avenue, which shall not be less than LOS "C." The two intersections having LOS "C" shall not be degraded below that level as a result of increased impacts from other intersections within the City and such impacts shall be mitigated as necessary to maintain the LOS "C" standard at the identified intersections.

If the General Plan's Subregional/Commercial/Retail/Office (SCRO) land use designation for the Southwest Bayshore subarea is to be revised as some type of Residential Mixed Use designation, then a second look should be given to the listed uses in regards to their traffic implications. Some uses, though, that have low trip generation rates per building sq. ft. (such as warehousing) may not be appropriate, depending upon their size. How should the character of Bayshore Boulevard evolve so as to be more compatible with residential uses while maintaining its capacity to serve as major arterial and transit corridor? Bayshore Boulevard is a traffic noise corridor—can traffic calming reduce this impact? How can this be done while maintaining the required LOS on this part of the C/CAG network?

Development Standards--If multi-family residential uses are to be encouraged in the SCRO-1 District, the current side setback requirement of zero feet, with 10 feet required when a site is adjacent to any residential use (BMC Section 17.16.040.D.2), should be revised. One approach would be to use the R-3 District setback requirements for residential uses and the TC-1 District setbacks for commercial uses, with exceptions possible through Use Permit approval. For example, draft Program LU.59a preliminarily proposed in the General Plan update could be revised to read:

~~*After adoption of the General Plan, review the Zoning District regulations to better define an appropriate mix of uses and address incompatible land use. Consider the elimination of outdoor sales and storage uses. 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.*~~

Zoning District: SCRO-1 Southwest Bayshore Commercial District—residential conditionally permitted, maximum density of 1 unit per 1,500 sq. ft.

General Plan Designation: Subregional Commercial/Retail/Office

Trend: Replace storage yards, contractor's yards and vacant sites with residential uses at a density of 1 unit per 3,000 sq. ft. on flatter sites. Develop vacant steeper sites with residential uses at a density of 1 unit per 4,236 sq. ft.

Examples: Planning Commission approval of 3-unit mixed use project at 3836 Bayshore Boulevard, replacing existing 0.2-acre storage yard, in 2009. City Council approval of 30-unit project on 127,070 sq. ft. vacant hillside in 2005.

Realistic Capacity for 2006-2014:

Building Permits Issued 7/1/06-12/31/09: None

Under Current Zoning: 9 additional units at 1 unit per 3,000 sq. ft. on flatter vacant sites and storage/contractor's yards (all assumed to be affordable to above moderate income households)

007553180	3832	BAYSHORE	BLVD	SFR/Storage	23,838	3
007553060	3852	BAYSHORE	BLVD	Contractor's Yard	9,349	3
007560210	3900	BAYSHORE	BLVD	Vacant	11,935	3

73 additional units at 1 unit per 4,236 sq. ft. on steeper vacant sites (all assumed to be affordable to above moderate income households)

007350120	3700	BAYSHORE	BLVD	Vacant	46,557	10
007350130		see above				
007350140		see above				
007350080	3710-60	BAYSHORE	BLVD	Vacant	127,070	30
007350090		see above				
007350050		see above				
007350060		see above				
007350070		see above				
007350040		see above				
007560080	3998	BAYSHORE	BLVD	Vacant	9,040	2
007560060	4010-4030	BAYSHORE	BLVD	Vacant	45,200	10
007560240		see above				
007560250		see above				
007560020	4070	BAYSHORE	BLVD	Vacant	43,073	10
007560030		see above				
007560010	4090	BAYSHORE	BLVD	Vacant	7,840	1

Possible Zoning Text Amendments:

Make multi-family housing a permitted use, keep lower-density housing a conditional use.

Conditionally permit convalescent homes.

Permit emergency shelters as a use by right per Government Code Section 65583, subject to appropriate development standards.

Amend definition of "dwelling" to include "transitional housing" and "supportive housing" along with "manufactured housing and mobilehomes."

Include "supportive single-room occupancy housing" with hotels as a conditional use.

Revise the setback requirements to encourage multi-family residential uses.

PD District/Northeast Ridge Subarea: The Planned Development District in the Northeast Ridge subarea covers three planned neighborhoods of stacked flats, townhouses and single-family residences. The 1999-2006 Housing Element identified the capacity for 391 of the project's approved dwelling units to be built within its planning period. Construction of the remaining 108 approved units was projected to take place after mid-2006. As of 2002, 294 units were under construction, and building permits were issued for 37 more units during the remainder of the planning period. Building permits for an additional 17 units have been issued to date (7/1/06-12/31/08), but further construction has been postponed due to the listing of the Callippe silverspot butterfly as a federally-protected endangered species. A revised project that would eliminate 108 townhouse units and expand the single-family neighborhood by 28 units (resulting in a net loss of 80 units) has been approved by the City, pending amendment of the

San Bruno Mountain Area Habitat Conservation Plan. It is assumed that this issue will be resolved so that building permits for the remaining 71 units will be issued during the current planning period.

Zoning District: PD Planned Development District/Northeast Ridge Subarea—residential permitted under the Planned Development Permit for the Northeast Ridge

General Plan Designation: Residential 6.23 Dwelling Units per Acre

Trend: Continue single-family residential development within the 19.64-acre Landmark neighborhood.

Examples: City Council approval of 71 more single-family units to complete the development of this subarea, pending amendment of the San Bruno Mountain Area Habitat Conservation Plan

Realistic Capacity for 2006-2014:

Building Permits Issued 7/1/06-12/31/09: 17

Under Current Zoning: 71 additional units per the modified Vesting Tentative Map and Planned Development Permit approved in 2008

PD District/Northwest Bayshore Subarea: This PD District is bounded by Bayshore Boulevard, Guadalupe Canyon Parkway and Main Street. The 1994 General Plan's underlying land use designation for the Northwest Bayshore subarea is Planned Development-Subregional Commercial/Retail/Office (PD-SC/R/O). The Environmental Impact Report for the 1994 General Plan considered the alternative of developing 124 single-family residences at a density of 1 unit per 5,000 sq. ft. in the 42-acre subarea, approximately 25.2 acres of which were considered most accessible. The General Plan concluded that "residential uses would only be appropriate as a component of a mixed-use project, when combined with or accessory to retail, office or other non-residential uses." The 1999-2006 Housing Element did not identify any capacity for residential development within the Northwest Bayshore subarea's PD District within its planning period. Since then, the southernmost 10 acres of the district have been developed as a biotech/office park.

The two remaining vacant properties in this PD District, commonly known as the Peking Handicraft property (APN 005-141-100) and the Levinson Estate property (APN 005-141-090), now owned by Loma Verde Properties, are located within the jurisdiction of the San Bruno Mountain Area Habitat Conservation Plan. The Peking Handicraft property was approved for development as the 200,000 sq. ft. Brisbane Office Park under the HCP (Administrative Parcel 1-05) in 1984, but City approvals for that project have long since lapsed. The Levinson Estate property's HCP status is unplanned.

These 2 properties are in Brisbane Community Redevelopment Project Area No. 2. Housing produced by entities other than the Redevelopment Agency is subject to the state requirement that 15% of the units developed must be affordable to low and moderate income households (superseding the similar City inclusionary housing requirement). Of those units, 40% (6% of the total) must specifically be affordable to very low income households. Housing actually produced by the Redevelopment Agency (and not just with its financial assistance) is subject to the requirement that 30% of the units must be affordable to low and moderate income households, of which 50% (15% of the total) must be affordable to very low income households.

The draft General Plan update preliminarily proposes to eliminate residential uses as a potential component of a mixed use development in the Northwest Bayshore subarea. That may be premature. Residential development may be easier to cluster than commercial development, so

as to maximize open space and minimize grading of the natural slopes, particularly on the steeper Peking Handicraft property. Transit-oriented development closer to the bus stops on Bayshore Boulevard could include residential units as component of a mixed-use concept. Thus, residential uses may be considered an appropriate use in the Northwest Bayshore subarea under the following preliminary policies from the draft General Plan update:

Policy LU.73 Cluster new development to maximize open space.

Policy LU.78 New development should be transit and pedestrian oriented, including but not limited to sidewalks, bus shelter(s) and bike lanes.

Policy LU.83 Preserve, protect and enhance the natural arroyos and swales in the subarea.

Assuming a minimum of 20 units per acre on an estimated 15.5 net developable acres, these two properties would have a combined capacity for 311 units. Due to the length of time expected to process one or more specific plans with environmental review for these undeveloped properties, as well as the annual limitations on amending the HCP to approve an alternative to the defunct Brisbane Office Park project, it may be unlikely that potential for housing development within the Northwest Bayshore subarea's PD District could be considered within the planning period of the 2006-2014 Housing Element.

TC-1 District: The TC-1 District consists of Crocker Industrial Park occupying the Guadalupe Valley between Central Brisbane and the Northeast Ridge. It was developed in the late 1950s through the 1970s, predominantly with concrete tilt-up warehouses. Because residential uses are not permitted in this district, the 1999-2006 Housing Element identified no capacity for housing in the TC-1 District.

Given the TC-1 District's proximity to existing residential neighborhoods, it may be appropriate to consider replacing older buildings at the periphery of the district with housing. One possible option would be to rezone the south side of Park Lane (which backs up to Old Quarry Road, the Community Garden, the Community Swimming Pool and the R-2 District along San Francisco Avenue) to a new residential zoning district with a minimum density of 1 unit per 1,500 sq. ft. and a height limit that would easily accommodate 3 stories with an elevator (35-40 ft.). Very specific development regulations would be needed, requiring only limited design review, so that the properties' density potential would qualify as affordable to lower income households per AB 2348.

91 Park Lane	(APN 005-202-200)	80,804+/- sq. ft. @ 1/1,500 = 53 units
105 Park Lane	(APN 005-202-150)	92,965+/- sq. ft. @ 1/1,500 = 61 units

Another possible option would be to rezone the existing property at 99 North Hill Drive, downslope from the townhouses in View Point at the Ridge. This 1 2/3 acre property is developed with a warehouse.

99 North Hill Drive	(APN 005-260-250)	73,747+/- sq. ft. @ 1/1,500 = 49 units
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These properties were developed in the late 1960s and early 1970s. They are approaching the age of the large warehouse (built in 1961) that was demolished in 2004 to make way for the new building at 425 Valley Drive. Currently, a warehouse originally built in 1961 is also proposed to be demolished and replaced. Thus, a trend has been established to demolish and replace some of these older concrete tilt-up structures that could be expected to continue through the current planning period.

As a way of shifting towards smart growth and new urbanism land use patterns in Brisbane, three parcels along the southwest edge of the Crocker Park sub-area have been identified as having strong potential for conversion to a mixed use designation. These parcels are south of Park Place and across the street from the Community Park on one side and City Hall on the other. A fourth parcel, the location of the Post Office, is also included in this discussion. It is suggested that since the Post Office (although a freight forwarder) serves the public well at this location, it should remain as a conforming use; however, its zoning would also be changed to include mixed use, in the event that the property were to be redeveloped to a different use in the future. This mixed use designation for all four sites would be instead of the current trade-commercial land use designation.

The parcels include:

125 Valley Drive (APN 005-212-130)	197,675 +/- sq. ft. @ 1/2,178 = 91 units+
25 Park Lane (APN 005-212-100)	54,546 +/- sq. ft. @ 1/2,178 = 26 units+
43 Park Lane (APN 005-202-160)	48,500 +/- sq. ft. @ 1/2,178 = 23 units+
280 Old County Road (APN 005-202-210)	63,510 +/- sq. ft. @ 1/2,178 = 30 units+
	Total 170 units

The 125 Valley Drive parcel was first identified for such a conversion, based on a request by the property owner, but redevelopment of all three parcels to mixed use could greatly enhance the downtown area. A number of factors have lead to the concept of transforming this area to mixed use and are outlined below; but first it should be noted that the concept would be similar in some ways to the NCRO-2 District, in that housing would primarily be located above and/or behind storefront uses.

- Placemaking: In September 2005, The Project for Public Spaces (PPS) facilitated a community workshop to do place evaluations at key locations throughout Brisbane. One of these would “transform downtown Brisbane with a new town center and civic square” which, in large part, included three of these parcels. Development of these parcels to accommodate mixed use would be consistent with the findings from that workshop and could help to provide the stimulus for the City to achieve its long term goals for downtown.
- Connection & Walk-ability: Because of their central location adjacent to and between the existing mixed use districts of Central Brisbane (NCRO-1 and NCRO-2), as well as to the Community Park, these parcels could serve as a connection between the existing districts, contribute to the walk-ability between the shopping areas and potentially provide a much more robust shopping core.

- Circulation and Visibility: All four of the sites are fairly large, an acre or more, and provide various opportunities for developing a circulation system that minimizes traffic impacts on the community and provides for improvements over what currently exists. The 43 Park Place property has access from both Park Place and Old County Road and the 125 Valley Drive is currently accessed from Valley Drive, but has its greater frontage along Bayshore Boulevard and Old County Road. 280 Old County Road has access from both Old County Road and Park Lane. So these properties provide options for traffic circulation and have high visibility from Brisbane's main downtown streets.
- Contribution to Economic Vitality: Given the potential visibility of the 125 Valley Drive property upon redevelopment, it may also serve to draw a customer base from those people already traveling through Brisbane along Bayshore Boulevard. There is also a potential for people to then further explore and shop in Central Brisbane and contribute to the overall vitality of the downtown core. This is consistent with the community's desires, as expressed in the 2005 Community Survey, in which many respondents indicated a need for more shopping and dining options within Brisbane.
- Reduction in Warehousing & Freight Forwarding in the Downtown Area: These properties essentially connect the two NCRO districts but are primarily used for warehousing and include freight forwarding at 125 Valley Drive and 280 Old County Road. While these uses provide revenue to the City, they do not contribute to the life of Central Brisbane, with the exception of the Post Office, to the point that the buildings back on to Old County Road and the Community Park. This, combined with the ongoing community concerns over truck traffic, especially freight forwarding, leads one towards providing some separation between such uses and the downtown core.
- Transit Oriented: Another significant positive aspect to conversion of these properties is to provide mixed use development within ¼ mile of what is currently the City's only "transit hub". The bus stops served by SamTrans and the BART/Caltrain/MuniMetro shuttles, adjacent to the park and ride lot at the intersection of Bayshore Boulevard and Old County Road/Tunnel Avenue serves as a transit hub for Central Brisbane. Development in proximity to transit options would help in the reduction of vehicle miles traveled. This transit hub is also located adjacent to Caltrain rail lines, although there is not currently a Caltrain station at this location. While Caltrain may or may not provide a station at this location, concentrating these uses close to the existing hub takes the best advantage of what is existing and may increase the opportunities for future expansion of that hub in other ways to better serve Brisbane as a whole.

Ultimately the balance of residential and commercial uses would be established through subsequent environmental review. The same or higher densities as is being considered for the R-2 District would be appropriate, making it viable for the property owners to begin repurposing the properties. Such densities encourage those qualities found in new urbanist and smart growth development: compact, interesting, enjoyable, economically viable, and contributing to the use of transit. This is also consistent with the State's requirement of 20 units/acre density for such a

development to count towards the City's lower-income affordable housing requirement. Credit for up to one half of the total lower income housing requirement may come from areas designated as mixed use at a minimum density of 20 units/acre.

Finally, should the City elect to designate this area as mixed use, given the impacts of such a development, especially on the Community Park, it would be reasonable to include a requirement that a certain percentage of the land be set aside for public uses. This might be used for expansion of the recreational uses consistent with the Community Park, such as an outdoor plaza and/or additional play areas. Specificity would need to be included in the new ordinance regarding the percentage of such a set aside in order to gain State credit for low income housing, since there would need to be limited discretionary review. Should the City choose to require such a set aside, a reasonable percentage of 25 percent might be adopted from the PD Districts. If the 20 units/acre formula were then applied over the remaining 75 percent of the land area, it would reduce the potential for the four parcels from 170 + units to 128+ units.

SP-CRO District: The SP-CRO District covers the Sierra Point peninsula, a former municipal waste landfill east of the Bayshore Freeway (101). It is located within Brisbane Community Redevelopment Project Area No. 1 (see PD District/Northwest Bayshore Subarea, above, for regulations regarding housing in redevelopment areas). Consistent with its commercial land use designation in the 1994 General Plan, the 1999-2006 Housing Element did not identify any capacity for housing development. No changes in that status are expected in the current planning period.

NCRO-1 District: This small neighborhood commercial district consists of the Brisbane Village Shopping Center and the Bank of America property. Residential uses are not permitted in the district. The 1999-2006 Housing Element did not identify any capacity for housing development for this district. No changes in that status are expected in the current planning period.

M-1 District: Three areas are currently zoned M-1: the PG&E property southwest of the intersection of Bayshore Boulevard and Geneva Avenue, the Brisbane Industrial Park along Industrial Way, and the Mt. San Bruno Business Park along Van Waters & Rogers Road. Consistent with the PD-SCRO and TC land use designations in the 1994 General Plan, the 1999-2006 Housing Element did not identify any capacity for housing development for these areas. No changes are proposed in the General Plan update.

C-1 District: The C-1 District covers the Baylands, the tank farm, the corp yard, the Machinery & Equipment Co. property and the fire station. The 1999-2006 Housing Element noted, "In spite of the amount of vacant land available and its potential proximity to future jobs and transit, the extensive environmental constraints and infrastructure needs burdening this subarea render it unsuitable for residential development."

Unlike most of the Baylands, the 7.334-acre site north of the fire station (3415-3435 Bayshore Boulevard, APN 005-162-240) is not located atop municipal waste landfill or contaminated soils. The site was graded in the 1980s in anticipation of development by the New Century Beverage Company (Pepsi Cola Bottling Company), but it has remained vacant since. The site is constrained by its limited access, and residential use would be impacted by noise and proximity

to the tank farm. It should be noted that this property is located within Brisbane Community Redevelopment Project Area No. 1 (see above).

Any consideration in the Housing Element of this site or others in the Baylands should be consistent with the yet-to-be-adopted Baylands Specific Plan, which is currently in the process of environmental review. The draft General Plan update preliminarily proposes the following policy, held over from the 1994 General Plan:

Policy L139 (330.1): Prohibit housing on the Baylands.

HC District: This district is largely occupied by the Norcal/Sunset Scavenger complex of offices and equipment storage yards at Beatty and Tunnel Avenues. The 1999-2006 Housing Element did not identify any capacity for housing development for this district. No changes in that status are expected in the current planning period.

MLB & OS Districts: These districts contain open space such as the Levinson Marsh, Brisbane Lagoon and San Francisco Bayfront. The 1999-2006 Housing Element did not identify any capacity for housing development for these districts. No changes in that status are expected in the current planning period.

Design Review: To qualify as potentially meeting the housing need for lower income households under AB 2348, a zoning district must allow residential uses at a minimum density of at least 20 units per acre as a use by right, subject to design review restricted so that the Planning Commission may "...review the design merits of a project and [may] call for a project proponent to make design-related modifications, but [the Commission] cannot deliberate the project's merits or exercise judgment to reject or deny the 'residential use' itself" (page 7 of the 6/13/05 attachment to the 6/9/05 HCD Memorandum on AB 2348).

Per Government Code Section 65583.2(i), "...[T]he phrase 'use by right' shall mean that the local government's review...may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a 'project' for purposes of Division 13 (commencing with Section 2100) of the Public Resources Code. ... A local ordinance may provide that 'use by right' does not exempt the use from design review. However, that design review shall not constitute a 'project' for purposes of Division 13 (commencing with Section 2100) of the Public Resources Code." Public Resources Code Section 21065 includes in the definition of "project" "an activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies." Section 21080(b)(1) specifically exempts "ministerial projects...approved by public agencies." A ministerial project is one which is not subject to discretionary approval.

These restrictions mean that, at least for residential projects in these particular districts, objective, quantifiable development standards should be adopted to non-subjectively address concerns that would otherwise be taken care of through discretionary design review approval. There are a number of policies and programs in the current General Plan that are preliminarily proposed to be retained or revised in the draft General Plan update that identify such concerns. These policies and programs could be further revised so as not to conflict with the intent of the

Government Code for those districts designated to provide housing affordable to lower income households:

Policy LU.7: During the design review of multi-family residential, commercial and public projects give careful attention to building scale, mass, placement, architecture, materials, landscaping and screening of equipment.

New Program under this Policy: 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).

Policy LU.14: Encourage construction of multi-family residential and commercial buildings that are sensitive to the local neighborhood architectural context and mountain or bayfront setting; and recognize that the local neighborhood context and the geographic setting varies within Brisbane.

New Program under this Policy: 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).

Program LU.16b (formerly 1994 Program 20b): Consider amendments to the Zoning Ordinance to prohibit issuance of a building permit for a single family dwelling on a lot of record when the design is essentially the same as that on any immediately adjacent lot.

Revised Program LU.16b: 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.*

Policy LU.17 (replacing 1994 Policy 21): Define the desired vernacular for multi-family residential and commercial development in the Central Brisbane subarea, and possibly the Southwest Bayshore subarea, to enhance the experience of being in significant and coherent places. The vernacular may include multiple, yet complimentary, architectural styles.

New Program under this Policy: 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).

Policy LU.18: Re-examine the design guidelines for multi-family and commercial development in Central Brisbane and consider establishing design guidelines for the Southwest Bayshore subarea; and require that new development projects comply with the design guidelines.

Revised Policy LU.18: 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.

New Program under this Policy: 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).

Program LU.18a Review and revise, as appropriate, the Downtown Neighborhood Commercial District Design Guidelines to reflect the desired architectural vernacular, for Central Brisbane's multi-family residential and commercial buildings, and 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.

Revise this program and relocate it under Policy LU.45.a.

Program LU.19a (formerly 1994 Program 22a): 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.

Expanded 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.

Program LU.19c: Clarify the design permit requirements for remodeling existing multi-family residential and commercial structures.

Expanded 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.

Program LU.19f (formerly 1994 Program 22d): Establish height limits for new zoning districts, taking into consideration the geology and topography of the area, as well as impacts to adjacent uses.

Expanded 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.

Policy LU.45: Preserve the small town character of Central Brisbane and encourage development that is sensitive to this context.

New Program under this Policy: 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).

Program LU.45a: Utilize the neighborhood/commercial/retail/office design guidelines in the review of development and periodically review the adequacy of the guidelines to improve the quality of architectural and site design.

Revised Program LU.45a (incorporating Program LU.18a): 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.

Program LU.47a: Consider revising the multi-family residential districts regulations to allow dwelling groups as a permitted use; that is two or more detached buildings located upon the same site, each of which contains one or more dwelling units.

Revised Program LU.47a (also see Program LU.16.b): 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.

Program LU.48b: Identify criteria for height limit exceptions up to 35 feet for multi-family residential and commercial development in Central Brisbane.

Expanded 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.

Program H4a(4): Amend the zoning ordinance to conditionally permit dwelling groups in the R-2 and R-3 Districts.

Revised Program: 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.

Policy H16 Protect the character of existing residential neighborhoods.

Revised Policy (based upon 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.

In addition, the Design Permit subsections under the applicable zoning district chapter of the Municipal Code (such as BMC Section 17.08.050 for the R-2 District and 17.10.050 for the R-3 District) should be revised to clarify that any design review for those districts intended to accommodate affordable housing would comply with the restrictions set by AB 2348. Similar changes would be necessary to BMC Chapter 17.42, "Design Permits."

Per Government Code Sections 65589.5(d), (i) & (j), the City may not deny a proposed housing development project for very low, low or moderate-income households or a proposed emergency shelter or condition approval in a manner that renders such a project infeasible, unless it makes specific findings. These findings include that the City has met or exceeded its share of the regional housing need allocation for the project's income category, or that the project would have specific, adverse impacts upon public health and safety that cannot be mitigated. To comply, the Housing Element should include the following program:

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).

Parking Regulations: The 1994 General Plan contains the following program that is proposed to be retained in the General Plan update as Program LU.19.d:

Program 22c: Review the residential parking requirements in the Zoning Ordinance to determine their effect on the height, mass and scale of structures and grading implications and whether amendments to the Code should be considered.

Expanding upon this, the 1999-2006 Housing Element included the following program:

Program H4a(1): Process zoning ordinance amendments to tie the parking requirements to unit size for all dwelling units, including secondary dwelling units.

To implement this program, the Planning Commission recommended that the parking requirements be revised to require 2 spaces (including 1 covered inside a garage or carport) for all units no more than 1,800 sq. ft. in floor area, 3 spaces (including 1 covered) for 1,800-2,700 sq. ft. units, 4 spaces (including 2 covered) for 2,701-3,600 sq. ft. units, 5 spaces (including 2 covered) for 3,601-4,500 sq. ft. units, and 6 spaces (including 2 covered) for units over 4,500 sq. ft. in floor area. These changes have not been adopted by the City Council.

Besides encouraging smaller (and potentially “greener” and more-affordable) units, this approach would avoid the problem associated with parking standards based upon the number of bedrooms--is a bedroom without a closet not a bedroom (a den or office, instead, for which no additional parking should be required)? The State, though, continues to use number of bedrooms as the basis for its parking standards when discussing Secondary Dwelling Units and concessions for Density Bonus units, as does the City in regards to duplex and multiple-family dwelling units (but not single-family homes or secondary dwelling units):

	Studio	1-BR	2-BR	3-BR	4+-BR
BMC Sect. 17.34.010					
SDU	2	2	2	2	2
Duplex/MFDU	1	1.5*	1.5*	2*	2*
CGC Sect. 65852.2(e)					
SDU	1	1	2	3	4
CGC Sect. 65915					
Density Bonus	1	1	2	2	2.5

BR=Bedroom

CGC=California Government Code

MFDU=Multi-Family Dwelling Unit (triplex, etc.)

BMC=Brisbane Municipal Code

SDU = Secondary Dwelling Unit

*Covered and enclosed on 3 sides

As noted in the *R-1 District* section above, Government Code Section 65852.2(e) set a maximum parking requirement for secondary dwelling units that can only be exceeded by local jurisdictions “provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings.” The City cited the limited capacity for on-street parking on its narrow streets when it reaffirmed its requirement of 2 standard-size on-site parking spaces for secondary dwelling units. If the City were to reduce this requirement, it could be argued that there would be greater potential for secondary dwelling unit development during the current planning period. For example, the parking requirement could be revised to 1 standard-size uncovered off-street parking space for studio and 1-bedroom units not exceeding 800 sq. ft. of floor area, plus 1 compact uncovered off-street space for secondary dwelling units with more than 1 bedroom or more than 800 sq. ft. of floor area (based upon the average sizes of secondary dwelling units the City has approved).

AB 2348 (see Sites Inventory, above) amended the density bonus provisions in Government Code Section 65915 [adding subsection (p)] to allow the developer of a qualifying project to request that the parking requirements, including handicapped and guest parking, not exceed 1 on-site space per studio or one-bedroom unit, 2 on-site spaces for two-to-three-bedroom units, and 2 ½ on-site spaces per four-plus-bedroom unit. Fractional requirements would be rounded up. The parking may be in-tandem and need not be covered. It would appear that this is the parking the State would expect to be sufficient for units affordable to lower income households.

Thus, it may be appropriate to consider revising Housing Element Program H4a(1) to consider a combination of floor area and number of bedrooms in determining a consistent parking requirement for all types of residential units. In addition, small units should be encouraged by

Table 28.

1999-2006 Zoning Capacity
in Zoning Districts that Permit Multi-Family Uses by Right and Residential Mixed-Use Projects
with Density and Development Standards Feasible for Very-Low- and Low-Income Housing
As of 6/30/06

<u>Subarea/Zoning District</u>	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>CENTRAL BRISBANE</u>		
<u>R-3 District</u>		
Units under construction since 1/1/99	4	4
Vacant standard sites	9	9
Combined vacant sites	1	1
	-1	-1
<i>The City was unable to acquire the vacant site adjoining its own vacant site, which is being developed by Habitat for Humanity.</i>		
Partially developed sites	9	6
Aggregation /Replacement	65	48
Rezone 4 sites in R-1 District	23	23
	-22	-22
<i>No sites in the R-1 District were rezoned to the R-3 District, but a Variance was granted to allow Habitat for Humanity to build 2 single-family residences where only 1 would otherwise have been allowed.</i>		
<u>NCRO-2 District</u>		
Units under construction since 1/1/99	N/A	15
Underutilized sites for mixed-use projects	N/A	19
<u>SOUTHWEST BAYSHORE</u>		
<u>SCRO-1 District</u>		
Units under construction since 1/1/99	1	1
4 vacant sites with upzoning of R-1-20,000 portion	162	81
Combine and reuse 15 underutilized sites for mobilehomes (Adjusted with repealed unit density standards)	52	87
		-35
<i>The 12 units per acre density standard for mobilehome parks was not repealed by 6/30/06 (the repeal took effect 12/6/06).</i>		
TOTAL CAPACITY	326	294
<i>As of 6/30/06</i>	303	236
RHND for low- and very-low-income households	150	150
<i>Difference as of 6/30/06</i>	+153	+86

*Based upon maximum density under current or proposed zoning district regulations, under conditions detailed in text.

**Based upon density of actual, approved or proposed projects, under conditions detailed in text.

N/A No maximum density set under current zoning district regulations.

Table 27.

1999-2006 Zoning Capacity
for Very-Low-, Low- and Moderate-Income Households
As of 6/30/06
(Continued from previous page)

	Adjusted* Capacity for Units Affordable to		
	<u>Very-Low Income</u>	<u>Low Income</u>	<u>Moderate Income</u>
<u>SOUTHWEST BAYSHORE (continued)</u>			
Reuse 15 underdeveloped sites as very-low-income-affordable mobilehome parks qualifying for 21 density bonus units, also very-low-income affordable	108 -43	0	0
<i>The 12 units per acre density standard for mobilehome parks was not repealed by 6/30/06 (the repeal took effect 12/6/06). Under that standard, 52 mobilehomes could be accommodated. Assuming that the rents are affordable to very-low-income households, the mobilehome parks could qualify for a 25% density bonus (13 more units). This total (65 units) would be 43 units less than what would be possible under the SCRO-1 District density standard of 1 unit per 1,500 sq. ft. of land.</i>			
<u>TOTAL</u>	135	50	169
<i>As of 6/30/06</i>	94	42	169
<u>1999-2006 RHND</u>	107	43	112
<u>DIFFERENCE</u>	+28	+7	+57
<i>As of 6/30/06</i>	-13	-1	+57
<i>Within first year thereafter</i>	+30	-1	+57
<i>Per Government Code Section 65584.09(a), within the first year following the original planning period for the 1999-2006 Housing Element, the 12 units per acre density standard for mobilehome parks was repealed (12/6/06). Accordingly, the 15 underdeveloped sites in the Southwest Bayshore subarea could be reused to provide 108 very-low-income-affordable units in mobilehome parks (including density bonus units), given the 1 unit per 1,500 sq. ft. standard in the applicable SCRO-1 District. This is 43 more units than would have been possible under the previous density standard for mobilehome parks. This results in capacity for 30 more very-low-income units than required under the 1999-2006 RHND, which can be credited toward the shortfall of 1 low-income-affordable unit.</i>			

*Based upon density of actual, approved or proposed projects, under conditions detailed in text.

Table 27.
 1999-2006 Zoning Capacity
 for Very-Low-, Low- and Moderate-Income Households
 As of 6/30/06

	Adjusted* Capacity for Units Affordable to		
	Very-Low Income	Low Income	Moderate Income
<u>CENTRAL BRISBANE</u>			
<u>R-1 District</u>			
Secondary units on vacant and developed sites	0	40	161
<i>The Planning Commission considered income-restrictions for households occupying secondary dwelling units, but recommended against including them, given that market-rate rents appeared to be affordable to low- and moderate-income households.</i>			
	+2		
<i>The City approved Variances and other permits for the construction of 2 single-family residences by Habitat for Humanity for very-low-income households on the City's former fire station site.</i>			
<u>R-3 District</u>			
City acquisition of adjoining vacant site with 2 density bonus units	4	8	0
	+1	-8	
<i>The City was unable to acquire the vacant site adjoining its own vacant site, which is being developed with 5 very-low-income units by Habitat for Humanity.</i>			
Develop 13 units on largest rezoned site with 2 density bonus units	1	0	0
	-1		
<i>No sites in the R-1 District were rezoned to the R-3 District.</i>			
Aggregation /Replacement with 11 density bonus units	8	0	0
<u>NCRO-2 District</u>			
City's senior housing complex built since 1/1/99	4	2	8
<u>SOUTHWEST BAYSHORE</u>			
<u>SCRO-1 District</u>			
4 Vacant sites @ 1/3,000 with 18 density bonus units	10	0	0
<i>The City approved a 36-unit project on a 2.44 acre site, a ratio of 1 unit per 2,952 sq. ft.</i>			

(continued to next page)

Table 26.

1999-2006 Zoning Capacity
As of 6/30/06
 (Continued from previous page)

Subarea/Zoning District

NORTHWEST BAYSHORE

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>PD District</u> (31.3 acres vacant)		
Vacant sites	N/A	undetermined
	Total Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
TOTAL CAPACITY	1,490***	1,157
<i>As of 6/30/06</i>	<i>1,340****</i>	<i>1,055</i>

*Based upon maximum density under current or proposed zoning district regulations, under conditions detailed in text. Includes 323 units built since 1/1/99.

**Based upon density of actual, approved or proposed projects, under conditions detailed in text, not including the potential for 25% density bonus under State law (note that Housing Element policy could allow greater bonus). Includes 308 units built since 1/1/99.

***Including 108 units in the Northeast Ridge subarea projected not to be developed until after 2006 (see text).

N/A No maximum density set under current zoning district regulations.

****Including 88 units in the Northeast Ridge subarea projected not to be developed until after 2006.

Note that the total 1999-2006 RHND was 426 units.

Table 26.

1999-2006 Zoning Capacity
As of 6/30/06
(Continued from previous page)

Subarea/Zoning District

BRISBANE ACRES

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>R-BA District</u>		
Vacant sites	236	35
	-37	
Units through Transferable Development Rights	0	134
		-37

Between the adoption of the Housing Element and 6/30/06, the City acquired 17 acres for open space (in addition to the 9.4 acres previously purchased) using funds from the US Fish & Wildlife Service and the California Coastal Conservancy which were subject to the restriction that the funds not be used to accommodate development. At 1 unit per 20,000 sq. ft., this reduced the gross capacity and number of potential TDR units by 37.

NORTHEAST RIDGE

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>PD District</u>		
Units under construction since 1/1/99	294	294
<i>The total number of units in the PD District that were under construction or completed 1/1/99-6/30/06 was 314.</i>		
First Phase: Single-Family Units	37	37
Second Phase: Single-Family Units	60	60
Second Phase: Multi-Family Units	108***	0
	-80	

Due to environmental constraints concerning endangered species, applications have been submitted to revise the second phase of the project, eliminating the multi-family units and increasing the number of single-family units by 28.

SOUTHWEST BAYSHORE

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>SCRO-1 District (6.5 acres vacant)</u>		
Units under construction since 1/1/99	1	1
<i>The total number of units in the SCRO-1 District that were under construction or completed 1/1/99-6/30/06 was 1.</i>		
4 vacant sites with upzoning of R-1-20,000 portion	162	81
<i>4 sites in the R-1 District were rezoned to the SCRO-1 District.</i>		
Combine and reuse 15 underutilized sites for mobilehomes (Adjusted assumes repeal of unit density standards)	52	87
		-35

The 12 units per acre density standard for mobilehome parks was not repealed by 6/30/06 (the repeal took effect 12/6/06).

QUARRY

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>PD District (proposed) (19 acres for development)</u>		
Underutilized site proposed for development	N/A	undetermined

Table 26
1999-2006 Zoning Capacity
As of 6/30/06

Subarea/Zoning District

CENTRAL BRISBANE

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>R-1 District</u>		
Units under construction 1/1/99-12/13/01	9	9
<i>The total number of units in the R-1 District that were under construction or completed 1/1/99-6/30/06 was 31.</i>		
Standard vacant sites	19	19
Substandard vacant sites	14	14
Unrecorded vacant subdivisions	14	14
Variance for vacant site	1	1
Amend Substandard Lot provisions	14	14
	-11	-11
<i>No ordinance was adopted. Instead, substandard lots were dealt with on a case-by-case basis, with 3 being recognized as building sites from 1999-2006</i>		
Secondary units on vacant and developed sites	327	201
<i>Included in the total number of units under construction or completed were 4 secondary units.</i>		
<u>R-2 District</u>		
Substandard vacant sites	1	1
Partially developed sites	4	4
Aggregation/Replacement	25	25
<i>Pending adoption of a new merger ordinance, owners of multiple substandard lots have been routinely requested to voluntarily merge their lots when applying for building permits.</i>		
	+1	+1
<i>An ordinance was adopted to allow multiple-unit development on substandard lots not less than 4,950 sq. ft. in the R-2 District, increasing the zoning capacity by 1 unit.</i>		
<u>R-3 District</u>		
Units under construction since 1/1/99	4	4
<i>The total number of units in the R-3 District that were under construction or completed 1/1/99-6/30/06 was 4.</i>		
Vacant standard sites	9	9
Combined vacant sites	1	1
	-1	-1
<i>The City was unable to acquire the vacant site adjoining its own vacant site, which is being developed by Habitat for Humanity.</i>		
Vacant substandard sites	1	1
Partially developed sites	9	6
Aggregation /Replacement	65	48
<i>Pending adoption of a new merger ordinance, owners of multiple substandard lots have been routinely requested to voluntarily merge their lots when applying for building permits.</i>		
Rezone 4 sites in R-1 District	23	23
	-22	-22
<i>No sites in the R-1 District were rezoned to the R-3 District, but a Variance was approved to allow Habitat for Humanity to built 2 single-family residences for very-low-income households on the former fire station site in the R-1 District, which would otherwise have accommodated only 1 unit</i>		
<u>NCRO-2 District</u>		
Units under construction since 1/1/99	N/A	15
<i>The total number of units in the R-3 District that were under construction or completed 1/1/99-6/30/06 was 15.</i>		
Underutilized sites for mixed-use projects	N/A	19

COMPLIANCE WITH GOVERNMENT CODE SECTION 65584.09
AB 1233 (JONES)

According to Table 26 (pages 45-50) of the 1999-2006 Housing Element, the City had the zoning capacity, adjusted for actual as-built or proposed densities and significant infrastructure/environmental constraints, for 1,157 units. This included rezoning portions of 4 vacant sites from the R-BA District to the SCRO-1 District, which was accomplished within the Housing Element's original planning period (1/1/1999-6/30/2006). It also included rezoning 4 sites from the R-1 District to the R-3 District (for 23 units), which was not done. In addition, it did not foresee that the City would buy 34.25 acres in the R-BA District with Federal or State funds that would prohibit transfer of their development rights (resulting in a loss of as many as 74 potential units). Taking these events into account, the adjusted capacity as of June 30, 2006, was reduced to 1,060 units. This still exceeded the Regional Housing Needs Allocation of 426 units.

As for the very-low-, low- and moderate-income affordable component of the RHNA, Table 27 (pages 45-46 & 51) identified a number of scenarios by which the City could meet the identified needs. The City, though, did not buy additional land in the R-3 District, Habitat for Humanity did not build the maximum number of possible units on the Solano Street site, the City did not rezone the largest vacant site in the R-1 District to the R-3 District, and the City did not adopt a density bonus ordinance during the original planning period. The City did approve the affordable Habitat for Humanity projects on the City's Plumas Street property and the former fire station site, in addition to the senior housing project. And, as required by Government Code Section 65584.09, the City amended the Zoning Ordinance within one year of the original planning period to eliminate the restrictive density standard for mobilehome parks to increase the potential for very-low- and low-income dwelling units in the SCRO-1 District. This restored the potential for 43 additional very-low-income units, more than adequately addressing the RHNA for each income level.

Furthermore, as provided by State law in 2002 when the 1999-2006 Housing Element was adopted [formerly Government Code Section 65583(c)(1)(A)(i)], Table 28 (pages 46 & 52) noted that the City had sufficient sites with zoning that permitted owner-occupied and rental multi-family residential use by right (including mixed-use projects requiring conditional use permits), with appropriate density and development standards to accommodate and facilitate the development of housing for very-low- and low-income households. This analysis identified an adjusted capacity for 294 such units. Subtracting the 23 potential units which could have been accommodated by rezoning the four sites in the R-1 District, the remaining potential would be for 271 multi-family units. In comparison, the RHND was 107 very-low-income and 43 low-income units, totaling 150.

setting a maximum size or number of bedrooms for which only 1 parking space would be required.

Amend the zoning ordinance to tie the parking requirements to unit size (floor area and/or number of bedrooms) for all dwelling units, identifying a maximum unit size for which only 1 parking space would be required.

Per Government Code Section 65583(a)(4)(ii) (see Emergency Shelters, Transitional and Supportive Housing, above), the City should 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."

Timing: Government Code Section 65583(a)(4) requires that the City amend its Zoning Ordinance within 1 year of adoption of the Housing Element to allow emergency shelters in at least one zoning district as a permitted use without a Use Permit or other discretionary action.

Government Code Section 65583(c)(1)(A) requires that if rezoning is required to provide adequate sites to accommodate the RHNA numbers, it must be completed 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.

One option would be for the Planning Commission to initiate the Zoning Text & Map Amendments public hearings concurrently with the Housing Element public hearings. This would demonstrate to HCD that the City is serious about implementing the Housing Element as soon as possible.

Attachments:

Staff's Analysis of the City's Compliance with Government Code Section 65584.09 [AB 1233 (Jones 2005)]

~~Annual Housing Element Progress Report for 2008~~

~~Building Permits Issued 1/1/99-6/31/06~~

~~Building Permits Issued 7/1/06-12/31/08~~

~~List of Potential General Plan, Zoning Ordinance and Map Changes (to be provided)~~

Alternatives for Rezoning Specific Blocks from R-1 to R-2 Map and Table

Alternative Unit Densities for the R-2 District

R-BA District Zoning Alternatives Map

Zoning Alternative: R-BA District North of Colletti Canyon

Zoning Alternative: R-BA District South of Colletti Canyon

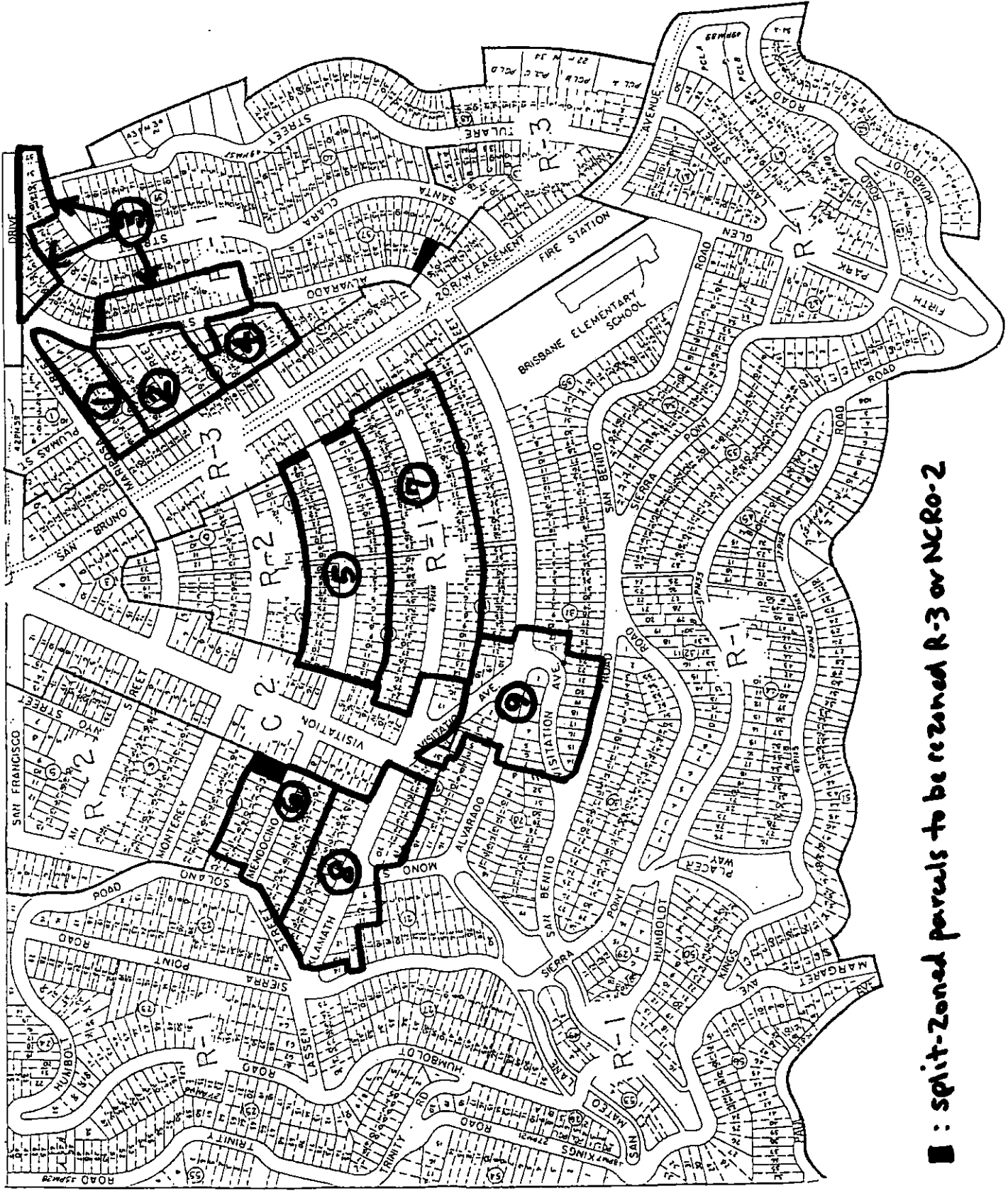
NCRO-2 District Development Potential

Realistic Additional Unit Potential of "Flat" Sites in SCRO-1 District During Current Planning Period

Realistic Additional Unit Potential of "Steep" Sites in SCRO-1 District During Current Planning Period

Previously Provided

Alternatives for Rezoning Specific Blocks
from R-1 to R-2



■ : split-Zoned parcels to be rezoned R-3 or NCRO-2

Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
007232010	1 MARIPOSA ST	1					1,457	1941				
007232020	15 MARIPOSA ST	1					2,135	1933				
007232030	25 MARIPOSA ST	1					2,175	1934				
007232040	49 MARIPOSA ST	1					2,500	1959				
007232050	51 MARIPOSA ST	1			1		7,500	1988	1		1	
007232060	55 MARIPOSA ST	1			1		5,000	1955				
007232070	101 MARIPOSA ST	1					2,500	1943				
007232080	105 MARIPOSA ST	1					2,500	1946				
007232090	107 MARIPOSA ST	1					2,500	1938				
007232100	113 MARIPOSA ST	1					2,500	1930				
007232110	125 MARIPOSA ST	1			1		5,000	1952				
Block 1 Subtotal		11	0	0	3	0			1	0	1	0
Block 1 RUNNING NET TOTAL					3	3			4	4	5	5
7232280	68 ALVARADO ST	1					2,900	1991				
7291040	110 ALVARADO ST	1			1		6,030	1978	0		1	
007232260	102 MONTEREY ST	1					2,150	1938				
007232250	110 MONTEREY ST	1					4,208	1979			0	
007232270	see above											
007232240	112 MONTEREY ST	1					2,500	1935				
007291050	133 MONTEREY ST	1					2,880	1947				
007232230	140 MONTEREY ST	1					2,500	1964				
007291060	141 MONTEREY ST	1					3,136	1947				
007232220	144 MONTEREY ST	1					2,500	1930				
007232210	148 MONTEREY ST	1					2,500	1935				
007291070	149 MONTEREY ST	1					2,500	1982				
007232200	150 MONTEREY ST	1					2,500	1930				
007232190	158 MONTEREY ST	1					2,500	1949				
007291080	161 MONTEREY ST	1					2,500	1948				
007291090	163 MONTEREY ST	1					2,500	1935				
007232180	164 MONTEREY ST	1					1,875	1946				
Block 2 Subtotal		16	0	0	1	0			0	1	1	1
Block 2 RUNNING NET TOTAL					1	1			1	1	2	3
7241010	29 SAN FRANCISCO AV	1					5,220					
7241020	31 SAN FRANCISCO AV	1		1			6,004	1955	0		1	
7241030	37 SAN FRANCISCO AV	1					2,900	1931				
7233010	55 SAN FRANCISCO AV	1			1		5,880	1935				
7233020	49 SAN FRANCISCO AV	1			1		7,583	1932	1		1	
7233030	see above											
7233070	59 ALVARADO ST	1					4,231	1933			0	

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Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
7233080	63 ALVARADO ST	1					5,000	1934				
7233090	see above											
7233100	113 ALVARADO ST	1			1		5,000	1958				
7233110	115 ALVARADO ST	1					2,500	1930				
7233120	119 ALVARADO ST	1					2,500	1965				
7233130	125 ALVARADO ST	1					2,500	1929				
7291030	126 ALVARADO ST	1					2,520	1948				
7291020	128 ALVARADO ST	1					2,190	1955				
7243070	129 ALVARADO ST	1					2,500	1929				
7233140	131 ALVARADO ST	1					2,500	1968				
7243080	155 ALVARADO ST	1		1			7,500	1960	1			
7243090	205 ALVARADO ST	1		1			5,000	2002	2			
Block 3 Subtotal		17	0	1	6	0				0	3	1
BLOCK 3 RUNNING NET TOTAL												
					6	6			8	8	11	12
007291010	102 MENDOCINO ST	1			1		5,200	1941				
007291190	118 MENDOCINO ST	0	2				2,500	1936				
007292010	119 MENDOCINO ST	1					3,939	2002				
007291180	126 MENDOCINO ST	1					2,500	1931				
007292020	127 MENDOCINO ST	1					3,700	1930				
007291170	134 MENDOCINO ST	0	2				5,000					
007292030	143 MENDOCINO ST	1					3,700	1936				
Block 4 Subtotal		5	4	0	1	0				0	0	0
BLOCK 4 RUNNING NET TOTAL												
					1	1			1	1	1	1
007332090	223 MENDOCINO ST	1					2,600	1942				
007332100	227 MENDOCINO ST	1			1		5,000	1930				
007284160	230 MENDOCINO ST	1					4,700	1954		1		
007284150	238 MENDOCINO ST	1					3,500	1939				
007332110	239 MENDOCINO ST	1					2,600	1933				
007284190	240 MENDOCINO ST	1			1		5,000	1938				
007284120	244 MENDOCINO ST	1					3,500	1931				
007332120	251 MENDOCINO ST	1			1		5,200	1931				
007332290	255 MENDOCINO ST	1			1		5,229					
007284110	264 MENDOCINO ST	1					2,400	1939				
007332280	265 MENDOCINO ST	1					2,682					
007332140	269 MENDOCINO ST	1					2,600	1938				
007332150	275 MENDOCINO ST	1					2,400	1934				
007284100	276 MENDOCINO ST	0	2				4,500	1931		0		
007284090	280 MENDOCINO ST	0	3				4,300	1932		0		
007332160	287 MENDOCINO ST	1					4,886	1931		1		
007283220	300 MENDOCINO ST	1					3,200	1933				

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Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
007331010	301 MENDOCINO ST	0	2				4,900	1940		0		
007331020	311 MENDOCINO ST	1					2,400	1931				
007283210	312 MENDOCINO ST	1					3,200	1930				
007331030	317 MENDOCINO ST	1					2,600	1936				
007283200	320 MENDOCINO ST	1					4,707	1940		1		rev lot area
007321010	325 MENDOCINO ST	0	2				5,277	1947				
007283190	330 MENDOCINO ST	0	2				2,400	1934				
007283180	340 MENDOCINO ST	1					4,707	1929		1		rev lot area
007321020	345 MENDOCINO ST	1		1			5,200	1945				
007321030	347 MENDOCINO ST	1					2,600	1936				
007283170	348 MENDOCINO ST	1					2,400	1940				
007283160	354 MENDOCINO ST	1					2,400	1939				
007321040	357 MENDOCINO ST	1		1			5,200	1935				
007283150	358 MENDOCINO ST	1					2,400	1927				
007283140	360 MENDOCINO ST	0	2				4,704			0		
007321050	361 MENDOCINO ST	1					2,600	1938				
Block 5 Subtotal		26	13	0	6	0			0	4	0	0
BLOCK 5 RUNNING NET TOTAL												
007262050	427 MENDOCINO ST	1			1		5,000	1939				
007272220	436 MENDOCINO ST	1					2,500	1936				
007262060	443 MENDOCINO ST	1		1			5,000	1932				
007272210	450 MENDOCINO ST	1					2,500	1935				
007272200	454 MENDOCINO ST	0	2				5,000	1941				
007262070	455 MENDOCINO ST	1		1			5,000	1938				
007272190	460 MENDOCINO ST	1					2,500	1948				
007262080	465 MENDOCINO ST	1		1			5,000	1940				
007272180	466 MENDOCINO ST	1		1			5,000	1932				
007262090	477 MENDOCINO ST	0	2				2,500	1943				
007272170	478 MENDOCINO ST	1					3,500	1935				
007262100	479 MENDOCINO ST	1					2,500	1958				
007262110	481 MENDOCINO ST	1		1			5,000	1931				1
007272160	482 MENDOCINO ST	1					4,000	1936				
007262120	483 MENDOCINO ST	1		1			5,536					
Block 6 Subtotal		13	4	1	6	0			0	0	0	1
BLOCK 6 RUNNING NET TOTAL												
7334070	211 KLAMATH ST	1					3,100	1932				
7332270	212 KLAMATH ST	1		1			5,800	1925				
7334080	215 KLAMATH ST	0	2				3,600	1951				
7334090	223 KLAMATH ST	0	2				3,558					
7332260	224 KLAMATH ST	1					3,500	1941				
Block 7 Subtotal		3	4	1	6	6			6	6	6	7

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Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
7334100	229 KLAMATH	1					2,600	1977				
7332250	323 KLAMATH	1					4,774	1945		1		rev lot area
7334110	233 KLAMATH	1		1			5,200	1933				
7332240	236 KLAMATH	0	2				3,580					
7334120	237 KLAMATH	1					3,900	1918				
7332230	240 KLAMATH	1					3,500	1959		1		rev lot area
7332220	242 KLAMATH	1					4,774	1932				
7334130	245 KLAMATH	0	2				3,912					
7334140	249 KLAMATH	1					2,600	1946				
7334350	253 KLAMATH	1		1			5,200	1931				
7332210	256 KLAMATH	1					2,400	1954				
7332200	260 KLAMATH	1					4,774	1930		1		rev lot area
7334170	261 KLAMATH	1					2,600	1931				
7334180	265 KLAMATH	1					3,900	1941				
7332190	268 KLAMATH	1					2,400	1935				
7334190	271 KLAMATH	1					3,600	1957				
7332180	272 KLAMATH	1					2,200	1936				
7334200	275 KLAMATH	1					4,600	1957		1		rev lot area
7332170	280 KLAMATH	0	2				4,363			0		
7331060	300 KLAMATH	1					3,600	1930				
7333010	301 KLAMATH	1					2,400	1965				
7331050	304 KLAMATH	1					3,200	1935				
7333020	305 KLAMATH	1					3,400	1935				
7333060	309 KLAMATH	1					2,600	1988				
7321200	310 KLAMATH	1					3,600	1982				
7333070	317 KLAMATH	1					3,700	1930				
7321190	320 KLAMATH	1					3,700	1978				
7323010	323 KLAMATH	1					2,600	1948				
7323020	333 KLAMATH	1		1			7,800	1930		1		rev lot area
7321170	340 KLAMATH	1					4,774	1933		1		rev lot area
7321160	346 KLAMATH	1					4,774	1958		1		rev lot area
7323030	347 KLAMATH	1					2,600	1935				
7323040	359 KLAMATH	1		1			5,100	1935				
7321150	360 KLAMATH	1					4,774	1953		1		rev lot area
7323050	371 KLAMATH	1		1			5,050	1930				
7321140	378 KLAMATH	1					4,424	1936		1		rev lot area
7321130	382 KLAMATH	1					2,800	1968				
7321120	388 KLAMATH	1					4,774	1937		1		rev lot area
7321110	392 KLAMATH	1					2,400	1936				
Block 7 Subtotal		39	10	0	6	0			1	9	1	0
BLOCK 7 RUNNING NET TOTAL				6	6	6			7	16	17	17

G-1-89

Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
007322180	405 KLAMATH ST	1			1		5,000	1994				
007322170	409 KLAMATH ST	1					2,500	1931				
007322160	413 KLAMATH ST	1					2,500	1947				
007322150	423 KLAMATH ST	1			1		5,000	1955				
007322140	431 KLAMATH ST	1					2,500	1929				
007262200	432 KLAMATH ST	1		1			5,000	1935				
007262190	460 KLAMATH ST	1			2	1	10,000	1941	0		1	
007262180	480 KLAMATH ST	1			1		5,000	1963				
007262170	500 KLAMATH ST	1			1		5,000	1959		0		
007311070	501 KLAMATH ST	0	2				4,875	1941				
007262160	524 KLAMATH ST	1			1		5,000	1935				
007262150	526 KLAMATH ST	1			1		5,000	1930				
007311080	533 KLAMATH ST	1					3,638	1961				
007311090	549 KLAMATH ST	0	2				5,104					
007262140	550 KLAMATH ST	1			1		5,000	1935				
007311100	555 KLAMATH ST	1					2,100	1932				
007262130	564 KLAMATH ST	1					4,000	1960				
007322130	35 MONO ST	1			1		8,000	1946	1		2	1
Block 8 Subtotal		16	4	1	10	1			1	0	3	1
BLOCK 8 RUNNING NET TOTAL					10	11			12	12	15	16
007322200	416 VISITACION AV	1					2,478	1932				
7322210	420 VISITACION AV	1					2,900	1992				
7323070	465 VISITACION AV	1					4,932	1983				
7381080	455 ALVARADO ST	1			1*		5,400	1933				
7323080	462 ALVARADO ST	0	2				6,587				1	
7322010	500 ALVARADO ST	0	2				3,760	1932				
7391010	501 ALVARADO ST	0	2				2,513	1938				
7391020	503 ALVARADO ST	1					2,750	1930				
7391030	505 ALVARADO ST	0	2				2,856					
7391040	509 ALVARADO ST	0	3				3,200	1957				
7322020	516 ALVARADO ST	1					3,432	1959				
7391050	525 ALVARADO ST	1					4,675	1990				
7391060	535 ALVARADO ST	1					2,750	1978				
7392010	113 SAN BENITO RD	1					2,000	1960				
7392020	119 SAN BENITO RD	1					3,000	1932				
7392030	125 SAN BENITO RD	1					2,550	1965				
7392040	131 SAN BENITO RD	1					2,760	1979				
7392050	135 SAN BENITO RD	1					2,760	1965				
7392080	155 SAN BENITO RD	1					2,175	1960				
7392090	157 SAN BENITO RD	1					4,950	1934	1**			
7392070	529 VISITACION AV	1					2,610	1947				

G.18

Alternatives for Rezoning Specific Blocks from R-1 to R-2 with Revised Unit Densities
 (From Assessors Parcel Data (GIS Website), PW AutoCAD files, and selected address file research)

APN	Address	SFR	N/C MFR	SDU	Pot. SDU	Pot. Split	Area	YEAR	2,178	4,356	2,000	4,000
007392060	531 VISITACION AV	1					2,730	1931				
Block 9 Subtotal		17	11	0	1	0			2	0	2	0
BLOCK 9 RUNNING NET TOTAL					1	1			3	3	5	5
GRAND RUNNING NET TOTAL					40	41			48	61	72	76

including 2 potential units on properties that might be rezoned R-3 instead

*in process
 **>4,950 sf

SFR - Existing single family residences

N/C MFR - Existing nonconforming multi-family residences

SDU - Existing secondary dwelling units

Pot. SDU - Potential secondary dwelling units under current R-1 District zoning

Pot. Split - Potential SFR units after lot split under current R-1 District zoning (see Pot. SDU for potential secondary dwelling units)

Area - Land area

Year - Year built

2,178 - Additional units if rezoned to revised R-2 with 1 unit per 2,178 sq. ft. and 2 units permitted on 4,950+ sq. ft. lot

4,356 - Additional units if rezoned to revised R-2 with 1 unit per 2,178 sq. ft. and 2 units permitted on 4,356+ sq. ft. lot

2,000 - Additional units if rezoned to revised R-2 with 1 unit per 2,000 sq. ft. and 2 units permitted on 4,950+ sq. ft. lot

4,000 - Additional units if rezoned to revised R-2 with 1 unit per 2,000 sq. ft. and 2 units permitted on 4,000+ sq. ft. lot

Running Net Total - Total of potential additional units, including those in previous columns listed

Note: No existing vacant building sites on these blocks

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Alternative Unit Densities for the R-2 District
 (From Assessors Parcel Data (GIS Website).
 PW AutoCAD files, and selected address file research)

APN	ADDRESS	Units	Pot. Units	LAND AREA	YEAR BUILT	2,178	4,356	2,000	4,000	NOTES
007211060	10 INYO	ST	1	3,444	1953					
007221100	15 INYO	ST	1	3,100	1939					
007211050	20 INYO	ST	1	2,500	1929					
007221110	25 INYO	ST	1	3,100	1939					
007211040	28 INYO	ST	1	3,700	1958					
007221120	35 INYO	ST	1	3,100	1939					
007221130	45 INYO	ST	1	2,480	1939					
007211020	48 INYO	ST	1	2,500	1941					
007221140	55 INYO	ST	1	2,000	1940					
007282040	217 MARIPOSA	ST	1	2,600	1953					
007282050	223 MARIPOSA	ST	1	2,500	1934					
007222190	224 MARIPOSA	ST	1	2,640	1936					
007282060	227 MARIPOSA	ST	1	2,500	1930					
007222180	232 MARIPOSA	ST	1	2,600	1935					
007282070	233 MARIPOSA	ST	1	2,600	1935					rev lot area
007281010	235 MARIPOSA	ST	1	3,950	1958					rev lot area
007281020	237 MARIPOSA	ST	1	3,876	1958					
007222170	240 MARIPOSA	ST	1	2,600	1940					
007222160	248 MARIPOSA	ST	1	2,600	1940					
007222150	256 MARIPOSA	ST	1	2,112	1940					
007281030	257 MARIPOSA	ST	1	2,700	1934					
007221160	330 MARIPOSA	ST	0	1,250	1931					NCRO-2?
007221150	340 MARIPOSA	ST	1	1,250	1931					
007271080	343 MARIPOSA	ST	1	2,500	1930					
007271090	351 MARIPOSA	ST	1	2,500	1940					
007271100	401 MARIPOSA	ST	1	5,000	1946					
007271110	405 MARIPOSA	ST	1	2,500	1941					
007271120	415 MARIPOSA	ST	1	2,500	1939					
007213070	417 MARIPOSA	ST	1	2,500	1939					
007213060	425 MARIPOSA	ST	1	2,500	1941					
007211180	432 MARIPOSA	ST	1	2,500	1929					
007211170	434 MARIPOSA	ST	1	2,500	1938					
007211160	436 MARIPOSA	ST	1	2,500	1964					
007213040	449 MARIPOSA	ST	1	2,500	1934					
007213030	451 MARIPOSA	ST	1	2,500	1941					
007211140	460 MARIPOSA	ST	1	2,500	1932					
007213020	465 MARIPOSA	ST	1	2,500	1949					
007284030	223 MONTEREY	ST	1	2,600	1934					
007282120	224 MONTEREY	ST	1	6,600	1931	1				
007284050	237 MONTEREY	ST	1	8,073	1931			1		rev lot area
7284040	see above									
007282090	248 MONTEREY	ST	1	7,030	1930					rev lot area

G.1.92

Alternative Unit Densities for the R-2 District

(From Assessors Parcel Data (GIS Website),

PW AutoCAD files, and selected address file research)

APN	ADDRESS	Units	Pot. Units	LAND AREA	YEAR BUILT	2,178	4,356	2,000	4,000	NOTES
007284060	249 MONTEREY ST	1		2,600	1947					
007284070	265 MONTEREY ST	1	1	5,167	1964					rev lot area
007284080	275 MONTEREY ST	1	1*	4,996	1939					rev lot area
007282080	280 MONTEREY ST	1		4,170	1953				1	rev lot area
007281130	300 MONTEREY ST	1		4,170	1934				1	rev lot area
007283010	301 MONTEREY ST	1		3,800	1952					
007281120	316 MONTEREY ST	1		4,403	1930				1	rev lot area
007283020	319 MONTEREY ST	1		3,700	1945					
007283030	323 MONTEREY ST	1		2,500	1936					
007283040	331 MONTEREY ST	1		3,100	1951					
007281110	332 MONTEREY ST	1		4,587	1930		1			rev lot area
007283050	335 MONTEREY ST	2		4,782	1930					rev lot area
7281100	MONTEREY ST	0	1	4,587		1**				NCRO-2?
007283060	349 MONTEREY ST	1	1	5,000	1930					
007271160	432 MONTEREY ST	1	1	5,000	1936					
007272060	433 MONTEREY ST	1	1	5,000	1950					
007272070	437 MONTEREY ST	1		3,700	1936					
007271150	440 MONTEREY ST	1	1	5,000	1934					
007272080	445 MONTEREY ST	1	2	8,750	1938	1				rev lot area
7272090	see above									
007271140	450 MONTEREY ST	1	1	5,000	1947					
007271130	456 MONTEREY ST	1	1	5,000	1940					
007272100	456 MONTEREY ST	1		2,500	1940					
007272110	465 MONTEREY ST	1	1	5,000	1935					
007213080	466 MONTEREY ST	1	1	5,000	1956					
007213090	480 MONTEREY ST	1	1	5,000	1958					
007213100	484 MONTEREY ST	1	1	5,000	1958					
007272130	485 MONTEREY ST	1	1	6,753	1937	1				rev lot area
007211080	419 SAN FRANC AV	1		2,880	1954					
007211090	425 SAN FRANC AV	1		2,446	1939					
007211100	447 SAN FRANC AV	1		2,196	1939					
007211110	435 SAN FRANC AV	1		2,625	1933					
007212070	8 SOLANO ST	1	1	5,553	1940					rev lot area
007212060	18 SOLANO ST	1	1	6,103	1935					rev lot area
007212050	30 SOLANO ST	1		4,211	1939					rev lot area
007212040	40 SOLANO ST	1		3,360	1939					rev lot area
007212030	44 SOLANO ST	1		2,942	1939					
007212020	50 SOLANO ST	1		2,432	1932					
007212010	62 SOLANO ST	1		2,800	1949					
007211030	44 INYO ST	2	2	3,750						
007211010	428 MARIPOSA ST	2	2	2,500						
007213050	433 MARIPOSA ST	2	2	5,000	1952					

G.1.93.

Alternative Unit Densities for the R-2 District

(From Assessors Parcel Data (GIS Website),
PW AutoCAD files, and selected address file research)

APN	ADDRESS	Units	Pot. Units	LAND AREA	YEAR BUILT	2,178	4,356	2,000	4,000	NOTES
007211150	438 MARIPOSA ST	2		2,500						
007211130	462 MARIPOSA ST	2		2,500						
007213110	492 MONTEREY ST	2		4,100	1936					
007211070	411 SAN FRANC AV	2		3,635						rev lot area
007211120	7 SOLANO ST	2		6,367						
007213010	45 SOLANO ST	2		4,368						
007272120	477 MONTEREY ST	3		5,000	1935					
007271070	335 MARIPOSA ST	0	2	5,000						parking lot
007271060	see above									parking lot
TOTAL		99	25			3	1+1**	1	3	
RUNNING TOTAL			25			28	29+1**	30+1**	33+1**	

* As 4,950+ sq. ft. lot, qualifies for 2 units under BMC Section 17.08.040.B

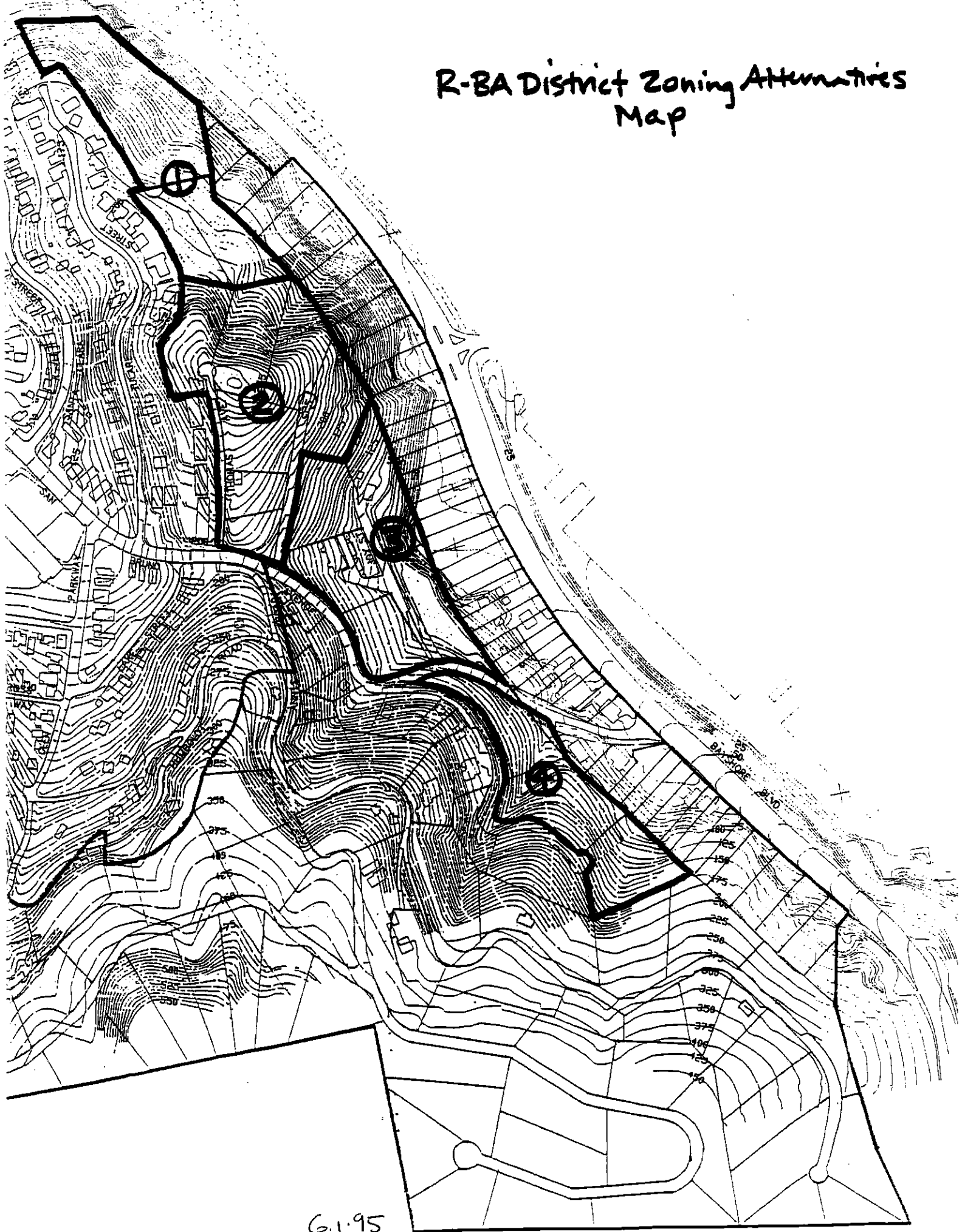
** Split zoned property may be rezoned to NCRO-2

Units - Existing units

Pot. Units - Potential additional units under current 1 unit per 2,500 sq. ft. density with 2 units OK on 4,950 sq. ft. lot
 2,178 - Additional units if density were increased to 1 unit per 2,178 sq. ft., with existing minimum lot size
 4,356 - Additional units if density were increased to 1 unit per 2,178 sq. ft. with 2 units allowed on 4,356 sq. ft. lot
 2,000 - Additional units if density were increased to 1 unit per 2,000 sq. ft., with existing minimum lot size
 4,000 - Additional units if density were increased to 1 unit per 2,000 sq. ft. with 2 units allowed on 4,000 sq. ft. lot

G.1.94.

R-BA District Zoning Alternatives Map



6.1.95

**Zoning Alternative: R-BA District North of Colletti Canyon
("Block 1" at the end of Santa Clara Street)**

ID (Address Owner and/or Lot)	APN	Land Area		Units on Subject Parcels	Max. Pot. SFR on vacant Parcels	Max. Pot. Add. SFR at 1:20,000	Max. Pot. SDU at 1:20,000	Zoning Alt. 1:5,000 with 40% Conserved Habitat on Site	Zoning Alt. 1 SDU: 5,000	Notes
		(sq ft)	(ac.)							
Nijem	007250010	102,540	2.354	0	1	6	9	11-19 assuming 55,400 SF dedicated as public ROW	11-19 possible but only 2-3 required by inclusionary housing provisions	Higher range assumes conserved habitat provided off- site through open space dedication
Nijem	007250020	40,075	0.920	0	1					
(Lot 106) Nijem	007350160	49,101	1.127	0	1					
(Lot 107) Peters	007350150	33,572	0.771	0	1	0	1	4	4 possible but 0 required	
Total		225,292	5.172	0	4	6	10	15-23	2-3	

6.196.

**Zoning Alternative: R-BA District South of Colletti Canyon
("Block 2" on the north end and east side of Thomas Avenue and "Block 3" on Joy Avenue)**

Block	Parcel	Land Area (sq ft)	(E) Units on Subject Parcels	Max. Pot. SFR on (E) Vacant Parcels	Max. Pot. Add. SFR at 1:20,000	Max. Pot. SDU at 1:20,000 (see Footnote #3)	Zoning Alt. 1:2,178 with 40% Conserved Habitat on Site	
2	(Lot 2) Colletti	47,889	0	1	1	2	13	
	(Lots 3 & 4) Sabharwal	102,218	0	1	7	9	54	
	(Lots 6 & 7) Sabharwal	95,930	0	1				
	5 Thomas Ave	21,453	1	0	0	1	5-1=4 net	
	(Lot 5) Zhang	17,054	0	1	0	0	4	
	(Lot 9) Wong	52,272	0	1	1	2	14	
	Total	336,816	1	5	9	14	89 net	
	3	(Lot 10) Dharma	38,645	0	1	0	1	10
		(Lot 11) Joy Avenue Condominiums	39,587	20	0	0	0	10-20=0 net
(Lot 12) Lau		46,537	0	1	1	2	12	
8 Joy Ave (Rossi)		50,908	1	0	1	2	14-1=13 net	
	(Lot 9) Wong	52,272	0	1	1	2	14	
	Total	227,949	21	3	3	7	49 net	

Notes:

1. The R-BA minimum lot size is 20,000 sq ft and 110 feet in width and 140 feet in depth, except lot sizes may be reduced to 5,000 sq ft with density transfer on receiving sites.
2. Max. Pot. Add. SFR = Potential additional housing by lot split. The potential lot split numbers reflect the difference in what may be achieved by lot split and what may be achieved by development of one primary housing unit on an existing parcel.
3. Pot. SDU = Potential secondary housing unit. More than one unit may be indicated for certain lots over 40,000 sq. ft, where a lot split potential is also indicated. Secondary Dwelling Units are allowed in the RBA District by permit., but are not subject to density transfer
4. (E) = Existing housing units.
5. Net = Total units excluding existing.

NCRO-2 District Development Potential

(From Assessor's Parcel Data (GIS Website), PW AutoCAD files, and selected address file research

NCRO-2 APN	Street	Lot Area	Cover	Comm SF	Res Units	Floors	Existing Use	Net Potential 1/1,485
1 007323060	373 KLAMATH ST	10,380	4694	1,124	10	2	store & residences	
2 007321100	398 KLAMATH ST	7,197	3696	0	14	4	apartments	
3 007222010	200 MARIPOSA ST	2,243	1103	0	1	1	residence	
4 007222140	270 MARIPOSA ST	2,237	747	0	1	1	residence	
5 007321070	385 MENDOCINO ST	5,464	3376	1,085	0	1	restaurant	
6 007262040	401 MENDOCINO ST	1,512	608	0	1	2	residence	
7 007271180	416 MONTEREY ST	1,700	0	0	1	1	residence	
10 007222030	SAN BRUNO AVE	2,577	0	0	0	0	parking for 23 Visitacion Av	
11 007223110	1 SAN BRUNO AVE	14,900	13150	3,407	15	3	mixed use	
13 007222200	4 SAN BRUNO AVE	10,464	6761	6,761	3	2	stores & apartments	
15 007223080	23 SAN BRUNO AVE	5,000	1923	1,923	0	1	services	3 units
16 007223090	35 SAN BRUNO AVE	10,000	8326	0	21		apartments	
17 007223100	99 SAN BRUNO AVE	2,500	1156	0	1	1	residence	
18 007222020	SAN BRUNO AVE	5,277	0	0	0	0	parking for 23 Visitacion Av	
57 007221180	2 VISITACION AVE	18,208	0	0	14	3	senior housing	
22 007221060	10 VISITACION AVE	2,500	758	0	1	1	residence	
23 007221170	14 VISITACION AVE	5,000	810	0	1	1	residence	
24 007222070	19 VISITACION AVE	2,667	1000	0	1	1	residence	
44 007222080	23 VISITACION AVE	2,778	2641	2,641	0	1	bar	
45 007222090	see above	2,689	2500	2,500	0	1	restaurant	
25 007222100	27 VISITACION AVE	3,108	1439	461	1	1	store + residence	
26 007221030	34 VISITACION AVE	10,000	7510	0	20	3	apartments	
27 007222110	35 VISITACION AVE	2,577	1118	1,118	1	1	store	
28 007222120	39 VISITACION AVE	2,506	1088	0	1	2	residence	
29 007221020	44 VISITACION AVE	5,000	3702	7,206	0	2	office	
30 007222130	45 VISITACION AVE	2,772	1712	2,550	0	1	store	
31 007221010	50 VISITACION AVE	2,500	2307	4,900	0	2	bar	
19 007271050	100 VISITACION AVE	5,000	0	0	0	0	parking for 50 Visitacion Av	
32 007281180	101 VISITACION AVE	3,151	1450	1,450	0	1	office	
33 007281190	103 VISITACION AVE	2,846	1589	591	2	2	store & residence	
34 007281060	107 VISITACION AVE	3,007	2142	2,142	3	3	services	
35 007271040	130 VISITACION AVE	5,000	874	874	0	1	store	3 units
36 007271030	148 VISITACION AVE	2,500	1641	931	1	2	store & residence	
37 007271020	160 VISITACION AVE	4,150	1344	1,344	0	1	restaurant	
20 007271170	see above						parking for 160 Visitacion Av	Approved for 2-plex
38 007281080	163 VISITACION AVE	7,289	1384	1,384	0	2	restaurant & apartment	4 additional units
39 007271010	176 VISITACION AVE	1,650	920	920	0	1	duplex	

G 1.98

Realistic Additional Unit Potential of "Flat" Sites in SCRO-1 District During Current Planning Period

APN	ADDRESS	USE	UNITS	AREA	BLDG S.F. 2006-14	NOTES
007350010	3800 BAYSHORE	BLVD Mobilehome Park	62	138,695	NA	0 no replacement expected
007350020	see above					
007350030	see above					
007553010	see above					
007553020	see above					
007553180	3832 BAYSHORE	BLVD SFR/Storage	1	23,838	NA	3 3 units/showroom approved by Planning Com.
007553050	3840 BAYSHORE	BLVD RotoRooster	0	15,028	1,920	0 no replacement expected
007553060	3852 BAYSHORE	BLVD Contractor's Yard	0	9,349	0	3 at realistic density of 1/3,000 sq. ft.
007553070	3866 BAYSHORE	BLVD Warehouse	0	3,484	2,976	0 no replacement expected
007553100	3890 BAYSHORE	BLVD Warehouse	0	4,791	7,000	0 no replacement expected
007553150	3870 BAYSHORE	BLVD Warehouse	0	6,333	NA	0 no replacement expected
007553160	3848 SAN BRUNO AVE	SFR	1	19,568	NA	0 no replacement expected
007553120	1075 SAN BRUNO AVE	SFR	1	4,791	NA	0 no replacement expected
007553110	1105 SAN BRUNO AVE	Duplex	2	2,918	NA	0 no replacement expected
007560120		Vacant	0	2,431	0	0 remnant parcel
007560230	105 MCLAIN	ROAD SFR	1	12,284	NA	0 Existing Group Home for up to 9 clients
007560220	107 MCLAIN	ROAD SFR	1	14,418	NA	0 no replacement expected
007560210	3900 BAYSHORE	BLVD Vacant	0	11,935	0	3 at realistic density of 1/3,000 sq. ft.
007560100	3994 BAYSHORE	BLVD Propane Sales	0	36,160	1,200	0 no replacement expected
007560090	see above					
TOTAL			69			9
Sleep Sites			2			73
GRAND TOTAL			71			82

2006-14 = Realistic additional potential units during the current planning period based upon assumptions detailed in text.

Realistic Additional Unit Potential of "Steep" Sites in SCRO-1 District During Current Planning Period

APN	ADDRESS	USE	UNITS	AREA	BLDG S.F.	2006-14	NOTES
007350120	3700 BAYSHORE	BLVD	0	46,557	0	10	at realistic density of 1/4,236
007350130	see above						
007350140	see above						
007350100	3708 BAYSHORE	BLVD Warehouse	0	44,564	1,952	10	at realistic density of 1/4,236
007350110	see above						
007350080	3710-60 BAYSHORE	BLVD	0	127,070	0	30	30 units approved by the City Council, including 2 affordable to low income households and 3 affordable to moderate income households, at a density of 1/4,236
007350090	see above						
007350050	see above						
007350060	see above						
007350070	see above						
007350040	see above						
007560080	3998 BAYSHORE	BLVD	0	9,040	0	2	at realistic density of 1/4,236
007560070	4000 BAYSHORE	BLVD SFR	1	11,300	NA	0	no replacement expected
007560060	4010-4030 BAYSHORE	BLVD	0	45,200	0	10	at realistic density of 1/4,236
007560240	see above						
007560250	see above						
007560040	4060 BAYSHORE	BLVD SFR	1	22,600	NA	0	no replacement expected
007560020	4070 BAYSHORE	BLVD	0	43,073	0	10	at realistic density of 1/4,236
007560030	see above						
007560010	4090 BAYSHORE	BLVD	0	7,840	0	1	at realistic density of 1/4,236
TOTAL			2			73	
Flat Sites			69			9	
GRAND TOTAL			71			82	
2006-14 = Realistic additional potential units during the current planning period based upon assumptions detailed in text							

