

draft
BRISBANE PLANNING COMMISSION
Action Minutes of November 10, 2011
Regular Meeting

CALL TO ORDER

Chairman Munir called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Commissioners Cunningham, Do and Reinhardt and Chairman Munir.
Commissioner Parker arrived immediately after roll call.

Staff Present: Community Development Director Swiecki, Senior Planner Tune,
Associate Planner Johnson.

ADOPTION OF AGENDA

Before adopting the agenda, the Commissioners stated that they looked forward to working with newly elected Councilmembers Miller and O'Connell and thanked Mayor Bologoff for his years of service to the City.

Chairman Munir moved to adopt the agenda. Commissioner Reinhardt seconded the motion, which was approved, 5-0.

APPROVAL OF DRAFT ACTION MINUTES

Chairman Munir moved to approve the Draft Action Minutes of October 27, 2011 Regular Meeting. The motion was seconded by Commissioner Do and approved, 4-0 (Commissioner Cunningham abstained).

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Chairman Munir acknowledged receipt of corrected tables from staff regarding the study session item.

NEW BUSINESS

1. **PUBLIC HEARING: Zoning Text Amendment RZ-6-11 to Amend Brisbane Municipal Code Title 17; Chapter 17.02, Definitions, and Chapter 17.30, Condominiums; City of Brisbane, applicant**

Senior Planner Tune presented the agenda report.

Commissioner Parked asked about amending the Building Code to require acoustical sheet rock or other means to reduce noise between units above and below. Commissioner Reinhardt asked whether it might be better to revise the standard for sound transmission class ratings from STC-50 to STC-60. Chairman Munir commented that footstep noise varies with the type of construction. Community Development Director Swiecki noted that adoption of more restrictive building standards than in the recently adopted California Building Code would have to be justified to the California Building Standards Commission. Senior Planner Tune suggested that the Deputy Building Official could address the matter when it comes before the City Council.

In response to a question from Commissioner Parker, Senior Planner Tune explained that the proposed storage requirement was intended to provide the type of storage typically found in a private garage.

Commissioner Parker questioned whether individual garbage receptacles should be included for each unit. She noted that while it may be impractical, especially for stacked condominiums, the pickup fee is higher for larger multiplex receptacles. Chairman Munir stated that the pricing structure would be addressed in the City's franchise agreement with the scavenger company. Director Swiecki noted that this matter was outside the Commission's purview. Senior Planner Tune added that the City Council could consider the impact of the pricing structure upon the affordability of housing when it acts upon the condominium ordinance.

Seeing no one in the audience, Chairman Munir dispensed with opening and closing the public hearing and made the motion to adopt Resolution RZ-6-11, recommending that the City Council adopt the draft ordinance. The motion was seconded by Commissioner Parker and adopted, 5-0.

2. **PUBLIC HEARING: Zoning Text Amendment RZ-7-11** to Amend Brisbane Municipal Code Title 17; Chapter 17.28, PD Planned Development District; Chapter 17.40, Use Permits; Chapter 17.42, Design Permits; Chapter 17.46, Variances; Chapter 17.48, Revocation of Use Permit or Variance; Chapter 17.52, Appeals; Chapter 17.54, Public Hearings; and Chapter 17.56, Administration; Regarding Planning Permit Expirations, Extensions and Revocations, Appeal Periods, Hearing Deadlines and Notification Requirements; City of Brisbane, applicant

Senior Planner Tune presented the agenda report, recommending that the Commission be given the option, when approving Use Permits, Design Permits and Variances, of allowing a streamlined process for Zoning Administrator approval of extensions.

Chairman Munir questioned how Development Agreements would be treated under the proposed ordinance. Senior Planner Tune explained that they were not specifically addressed in this ordinance, but that the City Attorney would be attending the Commission's next meeting to discuss the subject. Director Swiecki added that the time

limits for permits under a Development Agreement are set by the City Council when the Development Agreement is originally approved.

In response to a question from Commissioner Do, Senior Planner Tune explained that planning permits would remain valid as long as building permits for the approved project were being diligently pursued per the timelines established in the California Building Code. Commissioner Do requested that this reference be incorporated into the ordinance.

Commissioner Do asked for clarification of what “substantial changes in circumstances or applicable land use regulations” would prohibit extensions by the Zoning Administrator. The Commission discussed possible criteria, baselines and thresholds. Senior Planner Tune suggested that the ordinance authorize the Commission to identify parameters for the circumstances under which the Zoning Administrator could approve extensions.

Seeing no one in the audience, Chairman Munir dispensed with opening and closing the public hearing and said he would entertain a motion. Commissioner Do made the motion to adopt Resolution RZ-7-11, recommending that the City Council adopt the draft ordinance, as revised. The motion was seconded by Commissioner Cunningham and adopted, 5-0.

STUDY SESSION

1. Implementation of Housing Element Programs H.B.3.b, H.B.3.i, HI.1.b & H.I.1.c, Regarding Parking Requirements

Senior Planner Tune presented the item, requesting that the Commission consider revised parking requirements for secondary dwelling units, duplexes and multi-family dwelling units, as well as a graduated scale for requiring additional parking for single-family dwellings based upon floor area.

Commissioner Parker supported staff’s suggestions.

Commissioner Cunningham expressed reservations that the requirements for single-family dwellings may still not be sufficient, but she supported going forward to public hearing.

In response to Chairman Munir’s question, Senior Planner Tune explained that if the number of parking spaces for single-family dwellings would increase with the number of bedrooms, then logically the floor area threshold for requiring additional parking should step up as well.

The Commissioners and staff discussed ways in which public input could be further solicited.

Commissioner Parker noted that the Commission was moving away from the Housing Element's goal of consistent standards for single-family dwellings, secondary dwelling units, duplexes and multi-family dwellings. Senior Planner Tune responded that the primary intent was to eliminate the standard for single-family residences based upon lot frontage. He pointed out that number of bedrooms is used as a consistent basis, with differences in the standards as appropriate to address concerns about single-family-residential parking impacts and governmental constraints upon the provision of multi-family housing.

ITEMS INITIATED BY STAFF

Director Swiecki advised the Commissioners that they would be receiving information regarding placemaking to assist in preparing form-based codes.

ITEMS INITIATED BY THE COMMISSION

Chairman Munir proposed a potluck/workshop with the City Attorney at 6:30 p.m. before the regular meeting on December 8th.

Commissioner Parker wanted to make sure that the Baylands EIR addressed development planned in the surrounding area. She also noted the pending application by Sprint for at 1 West Hill Drive

ADJOURNMENT

There being no further business, Chairman Munir made the motion, seconded by Commissioner Reinhardt, to cancel the regular meeting of November 24, 2011, and to adjourn to the regular meeting of December 8, 2011. The motion was approved, 5-0, and the meeting was adjourned at 9:00 p.m.

ATTEST:

John Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on DVD at City Hall and on the City's website at www.brisbaneca.org.