City of Brisbane
Memo

To: Honorable Mayor and City Council

From: Ingrid Padilla, City Clerk

Subject: Ordinance No. 624- (Zoning Text Amendment RZ-3-17)- Zoning Text and Map Amendments to adopt housing overlay zones PAOZ-1 and PAOZ-2 to implement the Parkside at Brisbane Village Precise Plan

Date: City Council Meeting of February 1, 2018

The Ordinance listed above was introduced at the City Council Meeting of January 4, 2018. No changes were made at the time.

It is on this agenda for consideration of adoption.

City of Brisbane
Agenda Report

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: Proposed Ordinance No. 624 (Zoning Text Amendment RZ-3-17) - Zoning Text and Map amendments to adopt housing overlay zones PAOZ-1 and PAOZ-2 to implement the Parkside at Brisbane Village Precise Plan

DATE: January 4, 2018

City Council Goals:

To promote economic development that stabilizes and diversifies the tax base. (#4)
To preserve and enhance livability and diversity of neighborhoods. (#14)
To preserve the unique current character of Brisbane. (#16)

Purpose:

To implement the Parkside at Brisbane Village Precise Plan by adopting zoning text and map establishing Parkside Overlay Zones (PAOZ-1 and PAOZ-2) for housing.

Recommendation:

That the City Council introduce Ordinance No. 624.

Background:

The zoning text and map amendments proposed in draft Ordinance 624 will implement the Parkside Overlay District regulations and associated development standards contained in the Parkside at Brisbane Village Precise Plan ("Parkside Plan"), adopted by the City Council on October 30, 2017. The zoning text and map amendments were considered by the Planning Commission during a public hearing on November 28, 2017 and were recommended for Council approval by a 3-0 vote (Munir absent). The Planning Commission Resolution RZ-3-17 is attached for the Council's reference.

Discussion:

The zoning text amendments establish the Parkside Overlay (PAOZ) district within a new Chapter 17.27 in Title 17 of the Municipal Code. The zoning map amendments map the bounds of the PAOZ district, which applies to six properties in the Crocker Industrial Park along the

south side of Park Lane and east side of Park Place, as shown in Exhibit A to the draft Ordinance.

Within the new Chapter 17.27, the PAOZ district is split into two subdistricts- PAOZ-1 and PAOZ-2- similar in structure to the Neighborhood Commercial district (containing subdistricts NCRO-1, Brisbane Village and NCRO-2, Downtown Brisbane). Development standards for both subdistricts are established in separate sections. The new Chapter also establishes the review procedures for new residential development projects initiated under the overlay district, consistent with the text contained in Chapter 5 of the Parkside Plan as adopted.

Section 17.27.010, Purposes of Chapter, establishes the basis for implementing and interpreting the PAOZ overlay districts in relation to the underlying TC-1 district designation, which is preserved and remains in dual effect. As described in the Section, property owners may elect to redevelop their properties consistent with the overlay zone regulations, or may opt to continue the use of the property as allowed under the existing TC-1 zoning district regulations.

Subsequent to the Planning Commission's review and recommendation of the draft text and map amendments, representatives of one of the major property owners in the Parkside area submitted written correspondence (attached) requesting amendments to the zoning text regarding the relationship of the PAOZ overlay district regulations to the underlying TC-1 district regulations. After reviewing the correspondence, the City Attorney has recommended an additional zoning text amendment to add a definition of "overlay district" to Chapter 17.02, shown in highlighted text in the attached redline text. This amendment further clarifies and explains the relationship of an overlay district to an underlying district. No additional changes to the ordinance are recommended.

Fiscal Impact:

None.

Measure of Success:

Adoption of Ordinance 624 will implement the Parkside at Brisbane Village Precise Plan and bring the City into compliance with a state-mandated requirement of the 2015 Housing Element.

Attachments:

1. Draft Ordinance No. 624 redlined text
2. Draft Ordinance No. 624
3. Planning Commission Resolution RZ-3-17 (without attachments)
4. Planning Commission agenda report and minutes from November 28, 2017 meeting
5. Written correspondence received from Cox, Castle, & Nicholson LLP

John Swiecki, Community Development Director

Clay Holstine, City Manager

RZ-3-17 Proposed Zoning Text Amendments: Redline Text

Black text = Existing Municipal Code text
Red underline text = Proposed new Municipal Code text
~~Red strikeout~~ = Proposed deleted Municipal Code text

Chapter 17.02- DEFINTIONS

17.02.210 - District.

A. "District" means a zoning district established under the provisions of this title.

B. "Overlay District" means a zoning district that may be applied in combination with another district to provide for different uses and development standards than those permitted in the underlying district.

Chapter 17.04- ESTABLISHMENT OF ZONING DISTRICTS

17.04.010 - Establishment of districts.

The districts into which the city is divided are hereby established and designated as follows:
A. R-1 Residential district.
B. R-2 Residential district.
C. R-3 Residential district.
D. R-BA: Brisbane acres residential district.
E. C-1: Commercial mixed use district.
F. NCRO: Central Brisbane commercial district.
G. HC: Beatty heavy commercial district.
H. SCRO-1: Southwest Bayshore commercial district.
I. SP-CRO: Sierra Point commercial district.
J.TC-1: Crocker Park trade commercial district.
K. TC-2: Southeast Bayshore trade commercial district.
L. TC-3: Northeast Bayshore trade commercial district.
M.MLB: Marsh Lagoon Bayfront district.
N. O-S: Open space district.
O. P-D: Planned development district.
P. PAOZ: Parkside overlay district

NEW: Chapter 17.27- PAOZ PARKSIDE OVERLAY DISTRICT

(NOTE: All text is new; for readability, this section is not shown in red underline text.)

17.27.010 - Purposes of chapter.

A. The Parkside overlay district is included in the Zoning Ordinance to implement the Parkside at Brisbane Village Precise Plan ("Parkside Precise Plan") adopted by City Council Resolution 2017-50 and to achieve the following purposes:

1.To create an overlay zoning district for the Parkside subarea that provides for residential development within certain properties located with the Crocker Industrial Park consistent with the Parkside Precise Plan and the City's General Plan while preserving the underlying TC-1 Crocker Park Trade Commercial District designation applicable to those properties;

2. To encourage redevelopment of existing office and warehouse uses within the Parkside subarea with new residential development at sufficient minimum densities so as to provide opportunities for new affordable housing within the City;

3. To ensure that new residential development within the Parkside subarea is consistent with the scale and form of the City's built environment and provides amenities for new and existing residents alike;

4.To respect the pedestrian scale and setting of the surrounding Central Brisbane and Crocker Industrial Park subareas;

5. To protect the community health and safety by establishing development regulations to eliminate potential conflicts between new residential uses and surrounding trade commercial uses in the Crocker Industrial Park; and

B. To achieve the purposes of this chapter, the Parkside overlay district is divided into two geographical areas, namely: the PAOZ-1 district consisting of those properties within the Parkside subarea along the south side of Park Place, and the PAOZ-2 district consisting of those properties within the Parkside subarea along the west side of Park Lane, as shown on the City's zoning map adopted pursuant to Chapter 17.04 of this title.

17.27.020 - Permitted uses.

The following are permitted uses in the PAOZ-1 and PAOZ-2 districts:

PAOZ-1	PAOZ-2	Permitted Uses
X	Not permitted	Single-family dwellings
X	X	Multiple-family dwellings
X	X	Dwelling groups
X	X	Accessory structures
X	X	Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of the BMC
X	X	Small family day care homes

17.27.030 - Conditional uses.

There are no conditionally permitted uses.

17.27.040 - Development regulations for the PAOZ-1 district.

Development regulations for the PAOZ-1 district are as follows:

A. Lot Area. There is no minimum lot area.

B. Density of development. The minimum development density for any site shall be twenty (20) dwelling units per acre and the maximum development density shall be twenty-eight (28) dwelling units per acre.

C. Lot Dimensions. There are no minimum lot dimensions.

D. Setbacks. The minimum required setbacks for any building shall be as follows:

1. Front: Five (5) feet minimum, fifteen (15) feet maximum.

2. Side: Five (5) feet minimum, ten (10) feet maximum

3. Street Side: Ten (10) feet minimum and maximum

4. Rear: Fifteen (15) feet minimum.

5. Any architectural projection (including lobbies, porches, stoops, canopies, and other entry-related architectural features) may extend up to two (2) feet into the required front setback area.

E. Lot coverage. There is no maximum lot coverage .

F. Floor area ratio. There is no maximum floor area ratio.

G. Height.

1. Buildings and architectural features. The maximum building height shall be thirty-eight (38) feet and three (3) stories. Architectural features, including chimneys, elevators, towers, turrets, eaves, skylights or roof windows, utilities, utility penthouses, and solar panels, are allowed to project up to a maximum of ten (10) feet above the maximum building height

2. Fences and walls. Fences and walls in front yards shall be no more than three (3) feet in height from the adjacent sidewalk. Fences and walls in side yards shall not exceed six (6) feet in height. Deviations from maximum fence and wall heights shall require approval by the Planning Commission as provided in Section 17.32.050.B.5 of this title.

H. Landscaping requirements. Not less than thirty percent (30%) of the lot area shall be landscaped. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest State provisions, whichever is more effective in conserving water. Landscaping shall conform to the development standards established in Section 3.5 of the Parkside Precise Plan.

I. Open area requirements. At least four hundred (400) square feet of open area shall be provided for the dedicated use of each residential unit. The open area requirement shall not be met by shared or communal open areas.

J. Building Design. All buildings shall substantially comply with the building design standards established in Section 3.3 of the Parkside Precise Plan. Projects that do not comply with those building design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

K. Site Design. All projects shall substantially comply with the site design standards established in Section 3.4 of the Parkside Precise Plan. Projects that do not comply with those site design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

L. Parking. Required on-site parking for single-family dwellings shall be two (2) spaces per dwelling, both of which shall be in an enclosed garage. For multi-family dwellings, required on-site parking and additional guest parking shall be provided as set forth in Section 17.34.020 of this Title.

1. Design Requirements. Off-street parking facilities shall comply with the design standards as set forth in Table 1, which appears immediately following this section.

M. Recycling Area Requirements:

1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.

2. These requirements shall apply to all new residential buildings having five (5) or more dwelling units, institutional buildings and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. These requirements shall also apply to an existing development project for which building permit applications are submitted within a twelve-month period that collectively add thirty (30) percent or more to the existing floor area of the development project.

17.27.050. Development regulations for the PAOZ-2 district.

Development regulations for the PAOZ-2 district are as follows:

A. Lot Area. There is no minimum lot area.

B. Density of development. The minimum development density for any site shall be twenty-four (24) dwelling units per acre and the maximum development density shall be twenty-eight (28) dwelling units per acre.

C. Lot Dimensions. There are no minimum lot dimensions.

D. Setbacks. The minimum required setbacks for any building shall be as follows:

1. Front: Five (5) feet minimum, twenty (20) feet maximum.

Any architectural projection (including lobbies, porches, stoops, canopies, and other entry-related architectural features) may extend up to two (2) feet into the required front setback area.

2. Side: Five (5) feet minimum.

Upper floor second and third-story balconies may extend up to two (2) feet into the required side setback area.

3. Street Side: Ten (10) feet minimum and maximum.

4. Rear: Fifteen (15) feet minimum.

E. Lot coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%).

F. Floor area ratio. There is no maximum floor area ratio.

G. Height.

1. Buildings and architectural features. The maximum building height shall be forty (40) feet and three (3) stories. Architectural features, including chimneys, elevators, towers, turrets, eaves, skylights or roof windows, utilities, utility penthouses, and solar panels, are allowed to project up to a maximum of ten (10) feet above the maximum building height

2. Fences and walls. Fences and walls in front yards shall be no more than three (3) feet in height from the adjacent sidewalk. Fences and walls in side yards shall not exceed six (6) feet in height. Deviations from the fence and wall heights shall require approval by the Planning Commission as set forth in Section 17.32.050.B.5 of this title.

H. Landscaping requirements. Not less than 20% of the lot area shall be landscaped. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest State provisions, whichever is more effective in conserving water. Landscaping shall conform to the development standards established in Section 3.5 of the Parkside Precise Plan.

I. Open area requirements. At least 100 square feet of open area per unit shall be provided. The open area may be met through a combination of common or private open areas provided on-site. Open areas shall be usable and shall support residents' passive and/or active use. The computation of open areas may include amenities and structures designed to enhance usability, such as swimming pools, rooftop gardens or decks, fountains, planters, benches, and usable landscaping.

J. Building Design. All buildings shall substantially comply with the building design standards established in Section 3.3 of the Parkside Precise Plan. Projects that do not comply with those building design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

K. Site Design. All projects shall substantially comply with the site design standards established in Section 3.4 of the Parkside Precise Plan. Projects that do not comply with those site design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

L. Parking. Required on-site parking and additional guest parking shall be as established in Section 17.34.020 of this Title for multi-family developments.

1. Design Requirements. Off-street parking facilities shall comply with the design standards as set forth in Table 1, which appears immediately following this section.

2. Short-term and long-term parking for bicycles in the PAOZ-2 district shall be provided as follows:

Overlay Zone	**Bicycle Parking Requirement**
PAOZ-2	
Long-Term	1 long-term bicycle spaces/10 units
Short-Term	1 short-term bicycle space/20 units

Bicycle parking design shall conform to the standards established in Section 3.4 of the Parkside Precise Plan.

M. Recycling Area Requirements:

1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.

2. These requirements shall apply to all new residential buildings having five (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. These requirements shall also apply to existing development project for which building permit applications are submitted within a twelve-month period that collectively add thirty (30) percent or more to the existing floor area of the development project.

17.27.060. Design Review.

A. Administrative Design Review. The proposed construction of any principal structure, as defined in Section 17.02.755 of this Title, in the PAOZ districts in compliance with the development standards set forth in Section 17.27.040 of this Chapter and Chapter 3 of the Parkside Precise Plan shall be subject to administrative design review by the Zoning Administrator to confirm consistency with the design guidelines set forth in Chapter 4 of the Parkside Precise Plan.

B. Design Review by the Planning Commission. The proposed construction of any principal structure, as defined in Section 17.02.755 of this Title, in the PAOZ districts that does not comply with the development standards set forth in Section 17.27.040 of this Chapter or the development standards set forth in Chapter 3 of the Parkside Precise Plan shall be subject to the

approval of a design permit in accordance with Chapter 17.42 of this title, and shall be consistent with the design guidelines set forth in Chapter 4 of the Parkside Precise Plan. The application for a design permit shall be processed concurrently with any other required application for a discretionary permit.

Table 1.
Parking Design Requirements for Parkside Overlay District

Angle	Parking Row Depth	Drive Aisle Width		Space Width	Space Length
		One-Way	Two-Way		
Parallel	8'	12'	20'	8'	20'
Perpendicular	18'	24'	24'	9'	18'
Tandem	36'	24'	24'	9'	36'

draft
ORDINANCE NO. 624

AN ORDINANCE OF THE CITY OF BRISBANE AMENDING TITLE 17, ZONING, OF THE BRISBANE MUNICIPAL CODE AND THE ZONING MAP TO IMPLEMENT THE PARKSIDE OVERLAY DISTRICTS ESTABLISHED BY THE PARKSIDE AT BRISBANE VILLAGE PRECISE PLAN

The City Council of the City of Brisbane hereby ordains as follows:

SECTION 1: Section 17.02.210 in Chapter 17.02- Definitions of the Municipal Code is amended to read as follows:

17.02.210 - District.

A. "District" means a zoning district established under the provisions of this title.

B. "Overlay District" means a zoning district that may be applied in combination with another district to provide for different uses and development standards than those permitted in the underlying district.

SECTION 2: Section 17.04.010 in Chapter 17.04 – Establishment of Zoning Districts of the Municipal Code is amended to read as follows:

17.04.010 - Establishment of districts.

The districts into which the city is divided are hereby established and designated as follows:
A. R-1 Residential district.
B. R-2 Residential district.
C. R-3 Residential district.
D. R-BA: Brisbane acres residential district.
E. C-1: Commercial mixed use district.
F. NCRO: Central Brisbane commercial district.
G. HC: Beatty heavy commercial district.
H. SCRO-1: Southwest Bayshore commercial district.
I. SP-CRO: Sierra Point commercial district.
J.TC-1: Crocker Park trade commercial district.
K. TC-2: Southeast Bayshore trade commercial district.
L. TC-3: Northeast Bayshore trade commercial district.
M.MLB: Marsh Lagoon Bayfront district.
N. O-S: Open space district.
O. P-D: Planned development district.
P. PAOZ: Parkside overlay district

SECTION 3: A new Chapter 17.27- PAOZ Parkside Overlay District is added to Title 17 of the Municipal Code to read as follows:

Chapter 17.27- PAOZ Parkside Overlay District

17.27.010 - Purposes of chapter.

A. The Parkside overlay district is included in the Zoning Ordinance to implement the Parkside at Brisbane Village Precise Plan ("Parkside Precise Plan") adopted by City Council Resolution 2017-50 and to achieve the following purposes:

1.To create an overlay zoning district for the Parkside subarea that provides for residential development within certain properties located with the Crocker Industrial Park consistent with the Parkside Precise Plan and the City's General Plan while preserving the underlying TC-1 Crocker Park Trade Commercial District designation applicable to those properties;

2. To encourage redevelopment of existing office and warehouse uses within the Parkside subarea with new residential development at sufficient minimum densities so as to provide opportunities for new affordable housing within the City;

3. To ensure that new residential development within the Parkside subarea is consistent with the scale and form of the City's built environment and provides amenities for new and existing residents alike;

4.To respect the pedestrian scale and setting of the surrounding Central Brisbane and Crocker Industrial Park subareas;

5. To protect the community health and safety by establishing development regulations to eliminate potential conflicts between new residential uses and surrounding trade commercial uses in the Crocker Industrial Park; and

B. To achieve the purposes of this chapter, the Parkside overlay district is divided into two geographical areas, namely: the PAOZ-1 district consisting of those properties within the Parkside subarea along the south side of Park Place, and the PAOZ-2 district consisting of those properties within the Parkside subarea along the west side of Park Lane, as shown on the City's zoning map adopted pursuant to Chapter 17.04 of this title.

17.27.020 - Permitted uses.

The following are permitted uses in the PAOZ-1 and PAOZ-2 districts:

PAOZ-1	PAOZ-2	Permitted Uses
X	Not permitted	Single-family dwellings
X	X	Multiple-family dwellings
X	X	Dwelling groups
X	X	Accessory structures
X	X	Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of the BMC
X	X	Small family day care homes

17.27.030 - Conditional uses.

There are no conditionally permitted uses.

17.27.040 - Development regulations for the PAOZ-1 district.

Development regulations for the PAOZ-1 district are as follows:

A. Lot Area. There is no minimum lot area.

B. Density of development. The minimum development density for any site shall be twenty (20) dwelling units per acre and the maximum development density shall be twenty-eight (28) dwelling units per acre.

C. Lot Dimensions. There are no minimum lot dimensions.

D. Setbacks. The minimum required setbacks for any building shall be as follows:

1. Front: Five (5) feet minimum, fifteen (15) feet maximum.

2. Side: Five (5) feet minimum, ten (10) feet maximum

3. Street Side: Ten (10) feet minimum and maximum

4. Rear: Fifteen (15) feet minimum.

5. Any architectural projection (including lobbies, porches, stoops, canopies, and other entry-related architectural features) may extend up to two (2) feet into the required front setback area.

E. Lot coverage. There is no maximum lot coverage .

F. Floor area ratio. There is no maximum floor area ratio.

G. Height.

1. Buildings and architectural features. The maximum building height shall be thirty-eight (38) feet and three (3) stories. Architectural features, including chimneys, elevators, towers, turrets, eaves, skylights or roof windows, utilities, utility penthouses, and solar panels, are allowed to project up to a maximum of ten (10) feet above the maximum building height

2. Fences and walls. Fences and walls in front yards shall be no more than three (3) feet in height from the adjacent sidewalk. Fences and walls in side yards shall not exceed six (6) feet in height. Deviations from maximum fence and wall heights shall require approval by the Planning Commission as provided in Section 17.32.050.B.5 of this title.

H. Landscaping requirements. Not less than thirty percent (30%) of the lot area shall be landscaped. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest State provisions, whichever is more effective in conserving water. Landscaping shall conform to the development standards established in Section 3.5 of the Parkside Precise Plan.

I. Open area requirements. At least four hundred (400) square feet of open area shall be provided for the dedicated use of each residential unit. The open area requirement shall not be met by shared or communal open areas.

J. Building Design. All buildings shall substantially comply with the building design standards established in Section 3.3 of the Parkside Precise Plan. Projects that do not comply with those building design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

K. Site Design. All projects shall substantially comply with the site design standards established in Section 3.4 of the Parkside Precise Plan. Projects that do not comply with those site design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

L. Parking. Required on-site parking for single-family dwellings shall be two (2) spaces per dwelling, both of which shall be in an enclosed garage. For multi-family dwellings, required on-site parking and additional guest parking shall be provided as set forth in Section 17.34.020 of this Title.

1. Design Requirements. Off-street parking facilities shall comply with the design standards as set forth in Table 1, which appears immediately following this section.

M. Recycling Area Requirements:

1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.

2. These requirements shall apply to all new residential buildings having five (5) or more dwelling units, institutional buildings and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. These requirements shall also apply to an existing development project for which building permit applications are submitted within a twelve-month period that collectively add thirty (30) percent or more to the existing floor area of the development project.

17.27.050. Development regulations for the PAOZ-2 district.

Development regulations for the PAOZ-2 district are as follows:

A. Lot Area. There is no minimum lot area.

B. Density of development. The minimum development density for any site shall be twenty-four (24) dwelling units per acre and the maximum development density shall be twenty-eight (28) dwelling units per acre.

C. Lot Dimensions. There are no minimum lot dimensions.

D. Setbacks. The minimum required setbacks for any building shall be as follows:

1. Front: Five (5) feet minimum, twenty (20) feet maximum.

Any architectural projection (including lobbies, porches, stoops, canopies, and other entry-related architectural features) may extend up to two (2) feet into the required front setback area.

2. Side: Five (5) feet minimum.

Upper floor second and third-story balconies may extend up to two (2) feet into the required side setback area.

3. Street Side: Ten (10) feet minimum and maximum.

4. Rear: Fifteen (15) feet minimum.

E. Lot coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%).

F. Floor area ratio. There is no maximum floor area ratio.

G. Height.

1. Buildings and architectural features. The maximum building height shall be forty (40) feet and three (3) stories. Architectural features, including chimneys, elevators, towers, turrets, eaves, skylights or roof windows, utilities, utility penthouses, and solar panels, are allowed to project up to a maximum of ten (10) feet above the maximum building height

2. Fences and walls. Fences and walls in front yards shall be no more than three (3) feet in height from the adjacent sidewalk. Fences and walls in side yards shall not exceed six (6) feet in height. Deviations from the fence and wall heights shall require approval by the Planning Commission as set forth in Section 17.32.050.B.5 of this title.

H. Landscaping requirements. Not less than 20% of the lot area shall be landscaped. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest State provisions, whichever is more effective in conserving water. Landscaping shall conform to the development standards established in Section 3.5 of the Parkside Precise Plan.

I. Open area requirements. At least 100 square feet of open area per unit shall be provided. The open area may be met through a combination of common or private open areas provided on-site. Open areas shall be usable and shall support residents' passive and/or active use. The computation of open areas may include amenities and structures designed to enhance usability, such as swimming pools, rooftop gardens or decks, fountains, planters, benches, and usable landscaping.

J. Building Design. All buildings shall substantially comply with the building design standards established in Section 3.3 of the Parkside Precise Plan. Projects that do not comply with those building design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

K. Site Design. All projects shall substantially comply with the site design standards established in Section 3.4 of the Parkside Precise Plan. Projects that do not comply with those site design standards shall be subject to Design Review as set forth in Section 17.27.060.B, in addition to any other discretionary review required by the specific deviations.

L. Parking. Required on-site parking and additional guest parking shall be as established in Section 17.34.020 of this Title for multi-family developments.

1. Design Requirements. Off-street parking facilities shall comply with the design standards as set forth in Table 1, which appears immediately following this section.

2. Short-term and long-term parking for bicycles in the PAOZ-2 district shall be provided as follows:

Overlay Zone	**Bicycle Parking Requirement**
PAOZ-2	
Long-Term	1 long-term bicycle spaces/10 units
Short-Term	1 short-term bicycle space/20 units

Bicycle parking design shall conform to the standards established in Section 3.4 of the Parkside Precise Plan.

M. Recycling Area Requirements:

1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.

2. These requirements shall apply to all new residential buildings having five (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. These requirements shall also apply to existing development project for which building permit applications are submitted within a twelve-month period that collectively add thirty (30) percent or more to the existing floor area of the development project.

17.27.060. Design Review.

A. Administrative Design Review. The proposed construction of any principal structure, as defined in Section 17.02.755 of this Title, in the PAOZ districts in compliance with the development standards set forth in Section 17.27.040 of this Chapter and Chapter 3 of the Parkside Precise Plan shall be subject to administrative design review by the Zoning Administrator to confirm consistency with the design guidelines set forth in Chapter 4 of the Parkside Precise Plan.

B. Design Review by the Planning Commission. The proposed construction of any principal structure, as defined in Section 17.02.755 of this Title, in the PAOZ districts that does not comply with the development standards set forth in Section 17.27.040 of this Chapter or the development standards set forth in Chapter 3 of the Parkside Precise Plan shall be subject to the

approval of a design permit in accordance with Chapter 17.42 of this title, and shall be consistent with the design guidelines set forth in Chapter 4 of the Parkside Precise Plan. The application for a design permit shall be processed concurrently with any other required application for a discretionary permit.

Table 1.
Parking Design Requirements for Parkside Overlay District

Angle	Parking Row Depth	Drive Aisle Width		Space Width	Space Length
		One-Way	Two-Way		
Parallel	8'	12'	20'	8'	20'
Perpendicular	18'	24'	24'	9'	18'
Tandem	36'	24'	24'	9'	36'

SECTION 4: The Zoning Map of the City of Brisbane is amended per the attached Exhibit A, as follows:

The parcels of land within the General Plan's Parkside subarea identified as County of San Mateo's Assessor Parcel Numbers 005-212-100, 005-202-160, 005-190-100, 005-202-200, 005-202-150, and 005-202-210 shall be designated on the Zoning Map of the City of Brisbane as PAOZ Parkside Overlay District.

SECTION 5: Where a use permit, design permit or variance approval has been issued through final action by the City prior to the effective date of this Ordinance, or where such planning permit approval is not required and a complete building permit application has been submitted prior to the effective date of this Ordinance, the holder of such use permit, design permit or variance approval or complete building permit application may proceed to construct the improvements or establish the use authorized by such permit or approval and the same shall be exempted from any conflicting regulations that may be contained in this Ordinance.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Brisbane hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

SECTION 7: This Ordinance shall be in full force and effect thirty days after its passage and adoption.

* * *

The above and foregoing Ordinance was regularly introduced and after the waiting time required by law, was thereafter passed and adopted at a regular meeting of the City Council of the City of Brisbane held on the _____ day of _____, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor W. Clarke Conway

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:



_____
City Attorney

RESOLUTION NO. RZ-3-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRISBANE RECOMMENDING APPROVAL OF ZONING TEXT AND MAP AMENDMENT RZ-3-17 TO THE CITY COUNCIL AMENDING TITLE 17, ZONING, OF THE BRISBANE MUNICIPAL CODE AND THE ZONING MAP TO IMPLEMENT THE PARKSIDE OVERLAY DISTRICTS ESTABLISHED BY THE PARKSIDE AT BRISBANE VILLAGE PRECISE PLAN

WHEREAS, in April of 2015, the City Council adopted the 2015-2022 Housing Element via General Plan Amendment GPA-1-14, and certified a Negative Declaration for the Housing Element; and

WHEREAS, the 2015-2022 Housing Element Programs H.B.1.a and H.B.1.b direct the City to adopt affordable housing overlay zones for five properties within the Crocker Industrial Park, located at 25-43 Park Place and 91-145 Park Lane, to accommodate a minimum of 228 low and moderate-income housing units, representing a portion of the City's State-mandated 2014-2022 Regional Housing Needs Allocation; and

WHEREAS, the 2015-2022 Housing Element Program H.B.1.c directs the City to revise the General Plan's applicable land use designations and relevant Land Use Element policies and programs to be consistent with all zoning amendments implementing the Housing Element's programs; and

WHEREAS, in September 2015 the City Council hired consultant firm MIG to prepare the Parkside at Brisbane Village Precise Plan to study the properties designated for housing overlay zones in the Housing Element, as well as other properties in the vicinity within an approximately 25-acre area, generally bounded by Bayshore Boulevard to the east, San Francisco Avenue to the south, Park Lane to the west, and Valley Drive to the north; and

WHEREAS, on October 30th, 2017, the Parkside at Brisbane Village Precise Plan and implementing General Plan text and map amendments were adopted by the City Council via Resolution 2017-50, which establishes standards for affordable housing overlay zoning designations over six properties within the Crocker Industrial Park, to accommodate a minimum of 228 housing units at densities between 20-28 dwelling units per acre, which is considered by the State Housing and Community Development Department to accommodate the development of housing for very low and low income households; and

WHEREAS, on November 28, 2017, the Planning Commission conducted a hearing of the application, publicly noticed in compliance with Brisbane Municipal Code Chapters 1.12 and 17.54, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the proposed zoning map and text amendments contained in application RZ-3-17 implement the zoning designations and development standards of the Parkside Overlay

Districts as established by the adopted Parkside at Brisbane Village Precise Plan and are necessary to achieve consistency with the General Plan, as amended by City Council Resolution 2017-50; and

WHEREAS, the project is consistent with the adopted Negative Declaration for the 2015-2022 Housing Element, SCH#2015012053.

NOW, THEREFORE, based upon the evidence presented, both written and oral, the Planning Commission of the City of Brisbane hereby RECOMMENDS that the City Council adopt the attached ordinance.

AYES: Anderson, Mackin, Sayasane
NOES: None
ABSENT: Munir

Greg J Anderson 19 Dec 2017
Greg Anderson
Acting Chairperson

ATTEST:

JOHN SWIECKI, Community Development Director

City of Brisbane
Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 11/28/17

FROM: Julia Capasso, Associate Planner, via John Swiecki, Community Development Director

SUBJECT: **Zoning Text and Map Amendment RZ-3-17** for amendments to Title 17, Zoning, of the Brisbane Municipal Code and the zoning map to implement the zoning designations and development standards of the Parkside Overlay Districts as established by the adopted Parkside at Brisbane Village Precise Plan; City of Brisbane, applicant; Location: 25-43 Park Place, 71-145 Park Lane, and 280 Old County Road; APNs 005-212-100, 005-202-160, 005-202-200, 005-202-160, 005-190-100, 005-202-210.

REQUEST: Zoning text and map amendments to implement the zoning designations and development standards of the Parkside Overlay Districts as established by the adopted Parkside at Brisbane Village Precise Plan and to achieve consistency with the General Plan Land Use and Housing Elements related to the adopted Parkside at Brisbane Village Precise Plan .

RECOMMENDATION: Adoption of Resolution RZ-3-17, recommending approval of the zoning text and map amendments to the City Council.

ENVIRONMENTAL DETERMINATION: The project is consistent with the adopted Negative Declaration for the 2015-2022 Housing Element, SCH#2015012053.

APPLICABLE REGULATIONS: Procedures for zoning amendments are provided in BMC Chapter 17.50.

DISCUSSION:

The zoning text amendments proposed in the draft resolution will implement the Parkside Overlay District regulations and associated development standards as presented in the Parkside at Brisbane Village Precise Plan ("Parkside Plan"), adopted by the City Council on October 30, 2017. The zoning text amendments establish the Parkside Overlay (PAOZ) district within a new Chapter 17.27 within Title 17. The zoning map amendments map the bounds of the PAOZ district, which applies to six properties in the Crocker Industrial Park along the south side of Park Lane and east side of Park Place, as shown in Figure 1 below and in the attached excerpts from the Parkside Plan.

Within the new Chapter 17.27, the PAOZ district is further split into two subdistricts- PAOZ-1 and PAOZ-2- similar in structure to the Neighborhood Commercial district (containing subdistricts NCRO-1, Brisbane Village and NCRO-2, Downtown Brisbane)..

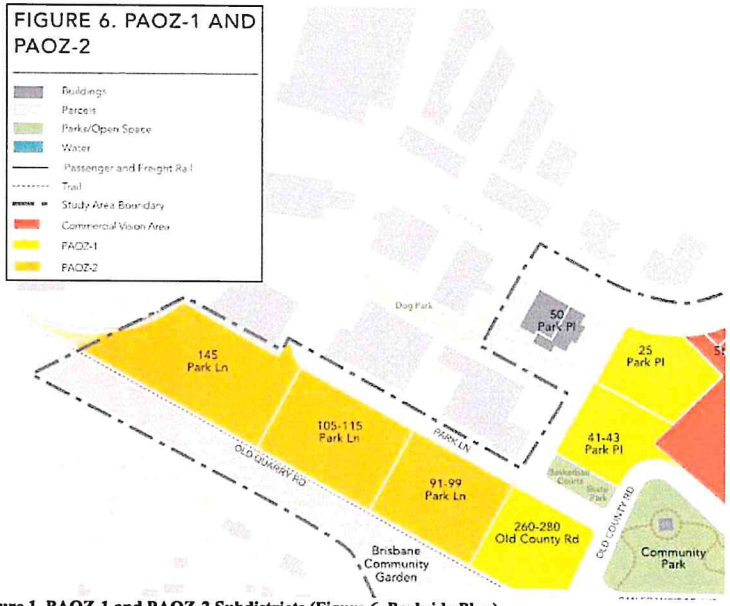

Figure 1. PAOZ-1 and PAOZ-2 Subdistricts (Figure 6, Parkside Plan)

Physical development standards and policies for both the PAOZ-1 and PAOZ-2 subdistricts included in the zoning text amendments reflect the standards established in Chapter 3 of the Parkside Plan, as modified by the City Council in its Resolution 2017-50, Exhibit A (Attachment 4). The two PAOZ subdistricts are tailored to the two distinct housing types envisioned in the Parkside Plan, consistent with the housing types and development footprints reflected in the conceptual land use and urban design framework found in Figure 2.9, page 22 of the Parkside Plan, excerpted in Attachment 3.

The PAOZ-1 development standards are intended to provide flexibility to landowners to develop small-lot subdivisions, where multiple "tiny" homes could be constructed on many small lots, or traditional attached townhomes on larger lots, with an emphasis on private yard areas for each home and generous landscaping and setbacks from roadways The PAOZ-2 development standards ensure multi-family developments are highly articulated and requires developments to be broken up into smaller buildings with shared or private spaces for recreation, landscaping, and gathering. New residential buildings in both overlay zones are limited to three stories, consistent with the City Council's direction and the provisions of Resolution 2017-50.

Residential Project Review Procedures

The zoning text amendments in the draft Ordinance reflect the bifurcated review process contained in Chapter 5 of the Parkside Plan (excerpts attached) for residential development applications under the PAOZ district regulations. The Community Development Director will review applications for residential development in the PAOZ district to confirm the application conforms to the density and physical development standards established in the applicable PAOZ subdistrict, and to confirm the design is consistent with the Design Guidelines established in Chapter 4 of the Parkside Plan. Applications that meet the development standards and design guidelines may proceed to building permit application, at which time site-specific analyses and studies of existing site conditions would be conducted to inform site and building design, consistent with the Brisbane Municipal Code and California Building Code.

Applications that do not comply with the PAOZ district development standards or the design guidelines in the Parkside Plan will require Design Review from the Planning Commission, subject to current review procedures as established in BMC Chapter 17.42. In addition to Design Review, other discretionary permits triggered by the deviations to the standards (e.g., Use Permits, Variance, Exceptions) would be processed simultaneously.

Overlay District Relationship to Underlying TC-1 Zoning District

As an overlay zone, the PAOZ district preserves the underlying TC-1 Crocker Park Trade Commercial zoning district regulations. Property owners may elect to redevelop their properties consistent with the overlay zone regulations, or may opt to continue the use of the property as allowed under the TC-1 zoning district regulations.

STAFF RECOMMENDATION

Adoption of the attached draft Resolution RZ-3-17 recommending approval of the proposed zoning text and map amendments to the City Council.

ATTACHMENTS:

1. Redline ordinance text
2. Draft Resolution RZ-3-17 (including draft Ordinance)
3. Excerpts from the Parkside at Brisbane Village Precise Plan
4. City Council Resolution 2017-50

Stratton Reiter, Brisbane resident, addressed the Commission and outlined several concerns with tree removal, site access, drainage, and out of sequence addresses on that block of San Bruno Avenue.

Commissioner Mackin moved and Commissioner Sayasane seconded to close the public hearing.

After deliberation, Commissioner Mackin moved approval of the project by adoption of Resolution UP-3-17/HCP-1-17 as modified per the Commission's discussion. The motion was approved 3-0. Acting Chairperson Anderson read the appeals process.

2. **PUBLIC HEARING: 280 Old County Road, 71-145 Park Lane, 25-43 Park Place; TC-1 District; Zoning Text and Map Amendment RZ-3-17;** Zoning Text and Map Amendments to implement the zoning designations and development standards of the Parkside Overlay Districts as established by the Parkside at Brisbane Village Precise Plan and to achieve consistency with the General Plan Land Use and Housing Elements; City of Brisbane, applicant; DCT Valley Drive CA LP, Waken Ray Property LLC, and Elena Court Trust, owners; APNs 005-212-100, 005-202-160, 005-190-100, 005-202-200, 005-202-150, 005-202-210.

Associate Planner Capasso gave the presentation.

Acting Chairperson Anderson noted there was no one in the audience to address the Commission.

Commissioner Mackin moved to close the public hearing. Commissioner Sayasane seconded the motion and it was approved 3-0.

Commissioner Mackin moved adoption of the Resolution RZ-3-17 recommending City Council adoption of the zoning text amendments to implement the Parkside Plan. Commissioner Sayasane seconded the motion and it was approved 3-0.

H. ITEMS INITIATED BY STAFF

Community Development Director Swiecki announced the Council's continuation of the Northwest Bayshore subarea zoning text amendments to January. He reminded the Commission of the January 12, 2018 application deadline for incumbents and new applicants.

I. ITEMS INITIATED BY THE COMMISSION

1. Zoning Text and Map Conformity with Brisbane General Plan

Acting Chairperson Anderson announced this item would be continued to a future meeting to allow the City Attorney to respond to written correspondence received by the Commission.

J. ADJOURNMENT

From: Cebrian, Christian H. <ccebrian@coxcastle.com>
Sent: Monday, December 11, 2017 5:16 PM
To: Swiecki, John; Capasso, Julia
Subject: Zoning Text and Map Amendment RZ-2-17 (Parkside Plan amendments)

Follow Up Flag: Follow up
Flag Status: Flagged

John and Julia,

Thank you for your help to date with my client's concerns regarding the Parkside Plan. For example, we appreciate that the plan states that "[t]he Parkside Plan has no impact on the permitted uses or development standards applicable to non-residential uses within the PAOZ overlay zones. The TC-1, Crocker Park Trade Commercial zoning designation will continue to govern the non-residential uses of properties with in the PAOZ overlay zones." My client would also appreciate a similar statement in the proposed zoning code ordinance to ease any third-party zoning reviews of the properties located within the Parkside Plan. Please consider the following revisions:

17.27.010 - Purposes of chapter.

B. To achieve the purposes of this chapter, the Parkside overlay district is divided into two geographical areas, namely: the PAOZ-1 district consisting of those properties within the Parkside subarea along the south side of Park Place, and the PAOZ-2 district consisting of those properties within the Parkside subarea along the west side of Park Lane, as shown on the City's zoning map adopted pursuant to Chapter 17.04 of this title. The POAZ overlay districts have no impact on the permitted uses or development standards applicable to non-residential uses within the PAOZ overlay districts. The TC-1, Crocker Park Trade Commercial zoning designation will continue to govern the non-residential uses of properties with in the PAOZ overlay districts." [*This insert is based on existing language in the Parkside Plan*]

17.27.020 – Permitted Uses.
"In addition to the uses permitted by the base zoning district, the following are permitted uses in the PAOZ-1 and PAOZ-2 overlay districts . . ."

17.27.030 - Conditional uses.
There are no conditionally permitted uses other than those conditionally permitted by the base zoning district.

You may also want to consider adding a definition of an overlay zone to the zoning code. For example:

17.02. Definitions of words and terms.
17.02.211 "District, base" a district other than an overlay district.

17.02.212 "District, overlay" means a district that may be combined with another district to provide for additional uses and incentives than those permitted in the base district while continuing to permit all uses permitted by the base district.

Thank you for your consideration of these clarifications. Please let me know if you have any questions or would like to discuss the proposed language.

Christian

Christian H. Cebrian

COX CASTLE NICHOLSON

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