

*Memo*

To: Honorable Mayor and City Council

From: Sheri Marie Spediacci, City Clerk

Date: City Council Meeting of February 22, 2011

Re: Ordinance 556 – Ca. Green Building Standards Code Amendments

The attached Ordinance was introduced at the City Council Meeting of February 7, 2011. There were no changes made at that time. It is on this agenda for consideration of adoption.

**DRAFT  
ORDINANCE NO. 556**

**AN ORDINANCE OF THE CITY OF BRISBANE  
AMENDING SECTIONS 15.01.030 & 15.01.260, ADDING  
SECTION 15.70.015, AMENDING SECTIONS 15.70.060,  
15.72.020, 15.75.030, 17.06.040, 17.08.040, 17.10.040, 17.12.040,  
17.13.040, 17.14.050, 17.14.060, 17.14.070, 17.15.040, 17.16.040,  
17.16.050, 17.18.040, 17.18.045, 17.19.040, 17.19.050, 17.20.030  
AND 17.24.040, ADDING SECTION 17.26.070, AMENDING  
SECTION 17.28.090, ADDING SECTIONS 17.34.085 AND  
17.34.095, AND AMENDING SECTION 17.42.040 OF THE  
MUNICIPAL CODE FOR CONSISTENCY WITH THE 2010  
CALIFORNIA GREEN BUILDING STANDARDS CODE**

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

**SECTION 1:** Section 15.01.030 of Chapter 15.01, Grading, is amended to read as follows:

**§15.01.030 - Scope.** This chapter amends Appendix J of the California Building Code by the addition thereto of this chapter and sets forth rules and regulations to control excavation, land disturbances, land fill and soil storage and erosion and sedimentation resulting from such activities. This chapter provides that all excavation or landfilling activities or soil storage shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation. This chapter also establishes procedures for the issuance, administration and enforcement of grading permits.

**SECTION 2:** Section 15.01.260 of Chapter 15.01, Grading, is amended to read as follows:

**§15.01.260 – Removal of ground cover.** During the dry season, the natural vegetative ground cover of any watershed shall not be destroyed or removed more than thirty (30) days prior to grading. During the wet season, such ground cover shall not be destroyed or removed more than five (5) days prior to such grading. The city engineer may grant an extension of time when justified by the circumstances. Trees, stumps and associated vegetation removed during demolition and/or construction shall be recycled in compliance with Chapter 15.75.

**SECTION 3:** Section 15.70.015 of Chapter 15.70, Water Conservation in Landscaping, is added to read as follows:

**§15.70.015 – Coordination with State Green Building Standards Code.** This code does not replace the most recent edition of the California Green Building Standards Code (CALGreen) adopted by the City, including the appendices printed therein and any supplements subsequently issued thereto. To the extent the provisions of this Chapter conflict with any current or subsequently adopted provisions in CALGreen, then the most stringent provisions shall supersede and control with regard to the outdoor water use.

**SECTION 4:** Section 15.70.060 of Chapter 15.70, Water Conservation in Landscaping, is amended to read as follows:

**§15.70.060 – Outdoor Water Use Efficiency Checklist**

The City has developed an Outdoor Water Use Efficiency Checklist (Checklist), based on the criteria described below. For Tier 1 projects, either the project applicant or a certified or authorized professional shall complete the Checklist and submit it to the City along with the Landscape and Irrigation Design Plan. For Tier 2 projects, the Checklist shall be completed by a certified or authorized professional and submitted to the City along with the Landscape and Irrigation Design Plan.

A. Plant Material.

1. Each hydrozone shall have plant materials with similar water use that are selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.
2. The turf area shall not be more than 25% of the landscape area unless the project applicant develops a site-specific water budget and the ETWU of the landscape area does not exceed the MAWA.
3. Turf shall not be planted on slopes greater than 25% or in areas that are less than eight feet wide, unless irrigated with subsurface irrigation or a low volume irrigation system.
4. At least 80% of the plants in non-turf landscape areas shall be native plants, low-water using plants, or no-water using plants, unless the project applicant develops a site-specific water budget and the ETWU of the landscaped area does not exceed the MAWA.
5. The architectural guidelines of a common interest development shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
6. Fire-prone plant materials and highly flammable mulches should be avoided.
7. The use of invasive and/or noxious plant species is prohibited within the habitat conservation plan (HCP) area and is strongly discouraged elsewhere in the City.

B. Mulch. A minimum two-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas, although a three-inch layer is recommended.

C. Irrigation System. An irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance.

1. Dedicated landscape water meters shall be required for landscape areas greater than 5,000 square feet and for new nonresidential water service for landscape areas between 1,000 and 5,000 square feet.
2. Tier 2 Landscapes are required to have automatic irrigation controllers that utilize either evapotranspiration or soil moisture sensor data for irrigation scheduling.
3. In new nonresidential construction with between 1,000 and 2,500 sq. ft. of landscape area, irrigation controllers and sensors shall be installed in compliance with California Green Building Standards Section 5.304.3.

4. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems.
5. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions.
6. Low volume irrigation is required in mulched areas, in areas with slope greater than 25%, and within 24-inches of a non-permeable surface, or in narrow or irregularly shaped areas that are less than eight feet in width in any direction.
7. Average irrigation efficiency is assumed to be 70%. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average landscape irrigation efficiency of 70%.
8. Irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m., unless unfavorable weather prevents it or otherwise renders irrigation unnecessary.

D. Hydrozone.

1. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
2. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
3. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.
4. Individual hydrozones that mix plants with different water uses may be allowed if a water budget is performed, and the plant factor calculation is based on the proportion of the respective plant water uses or the plant factor of the higher water using plant is used.

E. Water Features.

1. Recirculating water systems shall be used for water features.
2. The surface area of a water feature shall not exceed 10% of the landscape area and will be counted as a high-water using plant for purposes of a water budget calculation.
3. Pool and spa covers are highly recommended.

F. Soil Amendments. Soil amendments, such as compost, shall be incorporated according to the soil conditions at the project site and based on what is appropriate for the selected plants.

**SECTION 5:** Section 15.72.020 of Chapter 15.72, Indoor Water Conservation Regulations, is amended to read as follows:

**§15.72.020 – Coordination with State Codes.** This code does not replace the most recent edition of the California Plumbing Code adopted by the City, including the appendices printed therein and any supplements subsequently issued thereto, or other applicable California codes, including the California Green Building Standards Code, herein collectively called the “Plumbing Code”. To the extent the provisions of this Chapter conflict with any current or subsequently adopted provisions in the Plumbing Code, then the most stringent provisions shall supersede and control with regard to the indoor fixture requirements.

**SECTION 6:** Section 15.75.030 of Chapter 15.75, Recycling and Diversion of Debris from Construction and Demolition, is amended to read as follows:

**§15.75.030 – Diversion requirements.**

A. The applicant shall divert at least the following specified percentages of construction and demolition debris generated from every covered project from going to the landfill by using recycling, reuse and diversion programs:

1. Demolition: One hundred percent (100%) of inert solids, trees, stumps and associated vegetation and fifty percent (50%) of the remaining demolition debris tonnage;
2. Construction, remodeling and re-roofing projects: Fifty percent (50%) of all construction and demolition debris tonnage.

B. The diversion requirements of this section may be met by any of the following methods:

1. Deposit of the recyclable and reusable materials into a debris box provided by the company furnishing solid waste collection services for the city;
2. Delivery of the recyclable and reusable materials to a recycling facility approved by the city;
3. Disposal of recovered or salvaged materials in accordance with Section 15.75.020.C.

**SECTION 7:** Section 17.06.040 of Chapter 17.06, R-1 Residential District, is amended to read as follows:

**§17.06.040 – Development regulations.** The following development regulations shall apply to any lot in the R-1 district:

A. Lot Area.

1. The minimum area of any lot shall be five thousand (5,000) square feet.
2. A single-family dwelling may be constructed on a lot of record with an area of less than five thousand (5,000) square feet, subject to the provisions of this chapter and the limitations set forth in Section 17.32.100.

B. Density of Development. Not more than one dwelling unit shall be located on each lot in the R-1 district, except for a secondary dwelling unit authorized by a use permit granted pursuant to Chapter 17.43 of this title.

C. Lot Dimensions. The minimum dimensions of any lot shall be as follows:

<u>Width</u>	<u>Depth</u>
50 feet	100 feet

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

1. Front setback: Fifteen (15) feet, with the following exceptions:
  - a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.
  - b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, the minimum front setback may be the average distance of the front outside wall of the single-family structures from the front lot line, if less than fifteen (15) feet.

2. Side setback: Five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater.
  3. Rear setback: Ten (10) feet.
- E. Lot Coverage. The maximum coverage by all structures on any lot shall be forty percent (40%).
- F. Floor Area Ratio. The maximum floor area ratio for all buildings on a lot shall be 0.72. Where the size of the lot is three thousand seven hundred (3,700) square feet or less, one covered parking space designed to accommodate a full-size automobile shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of two hundred (200) square feet.
- G. Height of Structures.
1. Except as otherwise provided in subsection (G)(2) of this section, the maximum height of any structure shall be as follows:
    - a. Twenty-eight (28) feet, for lots having a slope of less than twenty percent (20%); or
    - b. Thirty (30) feet, for lots having a slope of twenty percent (20%) or more.
  2. For a distance of fifteen (15) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title and so long as the total height of the garage and any permitted living area underneath does not exceed thirty (30) feet from finish grade.
- H. Articulation Requirements. Unless exempted, outside walls that are greater in size than twenty (20) feet in width and twenty (20) feet in height shall have a cumulative area of articulation as follows:
1. Front outside wall: Thirty percent (30%) articulation.
  2. Side outside walls:
    - a. Interior side outside wall: No articulation requirement.
    - b. Exterior side outside wall: Where the structure is located on a lot having an average width of forty (40) feet or greater, the articulation requirement for the exterior side outside wall shall be twenty percent (20%). No articulation shall be required for the exterior side outside wall of structures located on lots having an average width of less than forty (40) feet.
  3. Rear outside wall: Thirty percent (30%) articulation.
  4. Exemptions: Single story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.
- I. Landscaping Requirements.
1. Front Setback. A minimum of fifteen percent (15%) of the front setback area shall be landscaped where the lot has a front lot line of thirty (30) feet or greater.

- 2. Downslope Lots. The rear of any newly constructed main structure on a downslope lot shall be screened with trees and shrubs in accordance with a landscape plan approved by the planning director.
- 3. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

J. Nonconforming Residential Structures and Uses. Nonconforming residential structures and nonconforming residential uses, as defined in Section 17.02.560, may be repaired, restored, reconstructed, enlarged or expanded in accordance with the provisions of Chapters 17.38 and 17.34 of this title.

K. Recycling Area Requirements. For new subdivisions containing an area where solid waste is collected and loaded in a location which serves five or more living units, adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided to serve the needs of the living units which utilize the area. This requirement shall also apply to all institutional buildings and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. 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.

**SECTION 8:** Section 17.08.040 of Chapter 17.08, R-2 Residential District, is amended to read as follows:

**§17.08.040 – Development regulations.** The following development regulations shall apply to any lot in the R-2 district:

- A. Lot area.
  - 1. The minimum area of any lot shall be five thousand (5,000) square feet, except as otherwise provided in Section 17.08.040(B).
  - 2. A single-family dwelling may be constructed on a lot of record with an area of less than five thousand (5,000) square feet, subject to the provisions of this chapter and the limitations set forth in Section 17.32.100.
- B. Density of Development. The minimum lot area for each dwelling unit on the site shall be two thousand five hundred (2,500) square feet; provided, however, a lot having an area of four thousand nine hundred fifty (4,950) square feet or greater shall be considered conforming for a development density of two (2) units.
- C. Lot Dimensions. The minimum dimensions of any lot shall be as follows:

Width	Depth
50 feet	100 feet

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

1. Front setback: fifteen (15) feet, with the following exceptions:
    - a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.
    - b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, duplexes or multiple-family dwellings, or any combination thereof, the minimum front setback for single-family dwellings may be the average distance of the front outside wall of the residential structures from the front lot line, if less than fifteen (15) feet.
  2. Side Setbacks: Side setbacks shall be five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater.
  3. Rear setback: Ten (10) feet.
- E. Lot Coverage. The maximum coverage by all structures on any lot shall be fifty percent (50%).
- F. Floor Area Ratio. The maximum floor area ratio for all buildings on a lot shall be 0.72, subject to the following exclusions:
1. In the case of single-family dwellings, where the size of the lot is three thousand seven hundred (3,700) square feet or less, one covered parking space designed to accommodate a full-size automobile shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of two hundred (200) square feet.
  2. In the case of duplexes and multiple-family dwellings, the area of all covered parking spaces required to be provided for the site shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of four hundred (400) square feet per unit.
- G. Height of Structures.
1. Except as otherwise provided in subsection (G)(2) of this section, the maximum height of any structure shall be as follows:
    - a. Twenty-eight (28) feet, for lots having a slope of less than twenty percent (20%); or
    - b. Thirty (30) feet, for lots having a slope of twenty percent (20%) or more.
  2. For a distance of fifteen (15) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title and so long as the total height of the garage and any permitted living area underneath does not exceed thirty (30) feet from finish grade.
- H. Articulation Requirements. Unless exempted, outside walls that are greater in size than twenty (20) feet in width and twenty (20) feet in height shall have a cumulative area of articulation as follows:
1. Front outside wall: Thirty percent (30%) articulation.
  2. Side outside walls:



- a. Interior side outside wall: No articulation requirement.
- b. Exterior side outside wall: Where the structure is located on a lot having an average width of forty (40) feet or greater, the articulation requirement for the exterior side outside wall shall be twenty percent (20%). No articulation shall be required for the exterior side outside wall of structures located on lots having an average width of less than forty (40) feet.

3. Rear outside wall: Thirty percent (30%) articulation.

4. Exemptions: Single story two car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.

I. Landscaping Requirements.

1. Front Setback. A minimum of fifteen percent (15%) of the front setback area shall be landscaped where the lot has a front lot line of thirty (30) feet or greater.

2. Downslope Lots. The rear of any newly constructed main structure on a downslope lot shall be screened with trees and shrubs in accordance with a landscape plan approved by the planning director.

3. Sites with Three (3) or More Units. Not less than ten percent (10%) of the lot area shall be improved with landscaping where three (3) or more dwelling units are located on the same site.

4. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

J. Nonconforming Residential Structures and Uses. Nonconforming residential structures and nonconforming residential uses, as defined in Section 17.02.560, may be repaired, restored, reconstructed, enlarged or expanded in accordance with the provisions of Chapters 17.38 and 17.34 of this title.

K. 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. This requirement shall apply to all new residential buildings having five 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. This requirement shall also apply to such existing developments for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project.

**SECTION 9:** Section 17.10.040 of Chapter 17.10, R-3 Residential District, is amended to read as follows:

Ord. No. 556

**§17.10.040 – Development regulations.** The following development regulations shall apply to any lot in the R-3 district:

A. Lot Area.

1. The minimum area of any lot shall be five thousand (5,000) square feet, except as otherwise provided in subsection B of this section.
2. A single-family dwelling may be constructed on a lot of record with an area of less than five thousand (5,000) square feet, subject to the provisions of this chapter and the limitations set forth in Section 17.32.100.

B. Density of Development. The minimum lot area for each dwelling unit on the site shall be one thousand (1,500) square feet; provided, however, a lot having an area of four thousand nine hundred fifty (4,950) square feet or greater shall be considered conforming for a development density of three (3) units.

C. Lot Dimensions. The minimum dimensions of any lot shall be as follows:

<u>Width</u>	<u>Depth</u>
50 feet	100 feet

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

1. Front setback: Fifteen (15) feet, with the following exceptions:
  - a. Where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.
  - b. Where fifty percent (50%) or more of the lots of record in a block have been improved with single-family dwellings, duplexes or multiple-family dwellings, or any combination thereof, the minimum front setback for single-family dwellings may be the average distance of the front outside wall of the residential structures from the front lot line, if less than fifteen (15) feet.
2. Side setbacks: Side setbacks shall be five (5) feet, with the exception that a lot having a width of less than fifty (50) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than three (3) feet or the minimum setback required by the Uniform Building Code, whichever is greater.
3. Rear setback: Ten (10) feet.

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

F. Floor Area Ratio. The maximum floor area ratio for all buildings on a lot shall be 0.72, subject to the following exclusions:

1. In the case of single-family dwellings, where the size of the lot is three thousand seven hundred (3,700) square feet or less, one covered parking space designed to accommodate a full-size automobile shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of two hundred (200) square feet.
2. In the case of duplexes and multiple-family dwellings, the area of all covered parking spaces required to be provided for the site, shall be excluded from the

calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of four hundred (400) square feet per unit.

G. Height of Structures.

1. Except as otherwise provided in subsection (G)(2) of this section, the maximum height of any structure shall be as follows:
  - a. Twenty-eight (28) feet, for lots having a slope of less than twenty percent (20%); or
  - b. Thirty (30) feet, for lots having a slope of twenty percent (20%) or more.
2. For a distance of fifteen (15) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title and so long as the total height of the garage and any permitted living area underneath does not exceed thirty (30) feet from finish grade.

H. Articulation Requirements. Unless exempted, outside walls that are greater in size than twenty (20) feet in width and twenty (20) feet in height shall have a cumulative area of articulation as follows:

1. Front outside wall: Thirty percent (30%) articulation.
2. Side outside walls:
  - a. Interior side outside wall: No articulation requirement.
  - b. Exterior side outside wall: Where the structure is located on a lot having an average width of forty (40) feet or greater, the articulation requirement for the exterior side outside wall shall be twenty percent (20%). No articulation shall be required for the exterior side outside wall of structures located on lots having an average width of less than forty (40) feet.
3. Rear outside wall: Thirty percent (30%) articulation.
4. Exemptions: Single story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.

I. Landscaping Requirements.

1. Front Setback. A minimum of fifteen percent (15%) of the front setback area shall be landscaped where the lot has a front lot line of thirty (30) feet or greater.
2. Downslope Lots. The rear of any newly constructed main structure on a downslope lot shall be screened with trees and shrubs in accordance with a landscape plan approved by the planning director.
3. Sites with Three (3) or More Units. Not less than ten percent (10%) of the lot area shall be improved with landscaping where three (3) or more dwelling units are located on the same site.
4. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

J. Nonconforming Residential Structures and Uses. Nonconforming residential structures and nonconforming residential uses, as defined in Section 17.02.560, may be repaired,

restored, reconstructed, enlarged or expanded in accordance with the provisions of Chapters 17.38 and 17.34 of this title.

K. 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. This requirement shall apply to all new residential buildings having five 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. This requirement shall also apply to such existing developments for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project.

**SECTION 10:** Section 17.12.040 of Chapter 17.12, R-BA Residential District, is amended to read as follows:

**§17.12.040 – Development regulations.** The following development regulations shall apply to any lot in the R-BA district:

A. Lot Area.

1. The minimum area of any lot shall be twenty thousand (20,000) square feet, except as otherwise provided in Section 17.12.050 of this chapter.
2. A single-family dwelling may be constructed on a lot of record with an area of less than twenty thousand (20,000) square feet, subject to the provisions of this chapter and the limitations set forth in Section 17.32.100.

B. Density of Development. Not more than one dwelling unit shall be located on each lot in the R-BA district, except for a secondary dwelling unit authorized by a use permit granted pursuant to Chapter 17.43 of this title, or one or more additional dwelling units in connection with a density transfer authorized by a use permit granted pursuant to Section 17.12.050 of this chapter.

C. Lot Dimensions. The minimum dimensions of any lot shall be as follows:

<u>Width</u>	<u>Depth</u>
110 feet	140 feet

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

1. Front setback: Twenty (20) feet, with the exception that where the lot has a slope of fifteen percent (15%) or greater, the minimum front setback may be reduced to ten (10) feet.

2. Side setback: Fifteen (15) feet, with the exception that a lot having a width of less than one hundred ten (110) feet may have a side setback reduced to ten percent (10%) of the lot width, but in no event less than ten (10) feet or the minimum setback required by the Uniform Building Code, whichever is greater.
3. Rear setback: Twenty (20) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be twenty-five percent (25%).

F. Floor Area Ratio. The maximum floor area ratio of all buildings on a lot shall be 0.72; provided, however, that in no event shall the floor area of all buildings on a lot exceed five thousand five hundred (5,500) square feet. In the case of single-family dwellings, where the size of the lot is three thousand seven hundred (3,700) square feet or less, one covered parking space designed to accommodate a full-size automobile shall be excluded from the calculation of floor area ratio and the five thousand five hundred (5,500) maximum square footage specified herein; provided, however, such exclusion shall not exceed a total area of two hundred (200) square feet.

G. Height of Structures.

1. Except as otherwise provided in subsection (G)(2) of this section, the maximum height of any structure shall be thirty-five (35) feet.
2. For a distance of twenty (20) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title and so long as the total height of the garage and any permitted living area underneath does not exceed thirty-five (35) feet from finish grade.

H. Wildland Interface. The development shall incorporate such measures as the fire chief may deem necessary to protect against the spread of fire between the site and the adjacent wildland.

I. HCP Compliance. All development within the R-BA district shall comply with the requirements of the San Bruno Mountain Area Habitat Conservation Plan.

J. Articulation Requirements. Unless exempted, outside walls that are greater in size than twenty (20) feet in width and twenty (20) feet in height shall have a cumulative area of articulation as follows:

1. Front outside wall: Thirty percent (30%) articulation.
2. Side outside walls:
  - a. Interior side outside wall: No articulation requirement.
  - b. Exterior side outside wall: Where the structure is located on a lot having an average width of forty (40) feet or greater, the articulation requirement for the exterior side outside wall shall be twenty percent (20%). No articulation shall be required for the exterior side outside wall of structures located on lots having an average width of less than forty (40) feet.
3. Rear outside wall: Thirty percent (30%) articulation.
4. Exemptions: Single story two car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.

K. Landscaping Requirements:

1. Landscape Plan. All development proposals shall include a landscape plan to be approved by the planning director. The plan shall show all proposed landscaping and the location of all protected trees and rare plants. The landscape plan shall be consistent with all of the following objectives:

- a. Preservation of protected trees and rare plants to the greatest extent possible;
- b. Use of plants that are compatible with the natural flora and are not invasive to the HCP area;
- c. Use of water conserving plants;
- d. Use of plants that will effectively screen structures and blend with the natural landscape; and
- e. Use of landscaping that is fire resistant.

2. Irrigated Landscapes. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

L. Ridgeline. Structures shall be located below ridgelines in a manner that will preserve public views of the San Bruno Mountain State and County Park.

M. Watercourses, Wetlands and Canyons. Development of the site shall be setback from all watercourses, wetlands and canyons consistent with the sensitivity of the resource.

N. Trails. The development shall incorporate public access trails to the extent feasible given the environmental sensitivities of the site.

O. Nonconforming Residential Structures and Uses. Nonconforming residential structures and nonconforming residential uses, as defined in Section 17.02.560, may be repaired, restored, reconstructed, enlarged or expanded in accordance with the provisions of Chapters 17.38 and 17.34 of this title.

P. Recycling Area Requirements. For new subdivisions containing an area where solid waste is collected and loaded in a location which serves five or more living units, adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided to serve the needs of the living units which utilize the area. This requirement shall also apply to all institutional buildings and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. 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.

**SECTION 11:** Section 17.13.040 of Chapter 17.13, C-1 Commercial Mixed-Use District, is amended to read as follows:

**§17.13.040 – Development regulations.**

A. No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered except for the uses established in Section

17.13.030, and then only after a specific plan has been prepared. Development and design standards and regulations for the C-1 district shall be established in a specific plan adopted by resolution of the city council for the parcels proposed for development. The specific plan shall meet the requirements of the California Government Code Sections 65451 and 65452. To the extent standards in the specific plan are inconsistent with other zoning regulations, the standards in the specific plan shall prevail.

B. 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. This requirement shall apply to all new commercial, industrial, or institutional buildings, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to applications for one or more building permits for a single or multiple alterations submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 12:** Section 17.14.050 of Chapter 17.14, NCRO Neighborhood Commercial District, is amended to read as follows:

**§17.14.050 – Development regulations for the NCRO-1 district.** Development regulations for the NCRO-1 district are as follows:

A. Lot Area. The minimum area of any lot in the NCRO-1 district shall be twenty thousand (20,000) square feet.

B. Lot Dimensions. The minimum dimensions of any lot in the NCRO-1 district shall be as follows:

<u>Frontage</u>	<u>Width and Depth</u>
100 feet	No requirement

C. Setbacks. There shall be no minimum required front, side or rear setback for any lot in the NCRO-1 district, except that a twenty (20) foot setback shall be required from any property line that is contiguous to a public right-of-way.

D. Lot Coverage. The maximum coverage by all structures on any lot in the NCRO-1 district shall be sixty percent (60%).

E. Height of Structures. The maximum height of any structure in the NCRO-1 district shall be thirty-five (35) feet.

F. Landscaping requirements:

1. Not less than ten percent (10%) of the lot area shall be improved with landscaping.

2. Landscaping required under this section, including replacement landscaping, shall be according to detailed plans approved by the planning director. The landscape plans shall be consistent with the following objectives:

a. Use of plants that are not invasive;

c. Use of water conserving plants; and

d. Use of plants and other landscape features that are appropriate to the context.

3. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

G. 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. This requirement shall apply to all new commercial buildings. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases, and such recycling areas shall be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 13:** Section 17.14.060 of Chapter 17.14, NCRO Neighborhood Commercial District, is amended to read as follows:

**§17.14.060 – Development regulations for the NCRO-2 district.** Development regulations for the NCRO-2 district are as follows:



A. Lot Area. The minimum area of any lot in the NCRO-2 district shall be two thousand five hundred (2,500) square feet.

B. Lot Dimensions. The minimum dimensions of any lot in the NCRO-2 district shall be

<u>Width</u>	<u>Depth</u>
25 feet	No requirement

as follows:

C. Density of Residential Use. Dwelling unit density in a mixed use shall be established by the use permit.

D. Setbacks. The minimum required setbacks for any lot in the NCRO-2 district shall be as follows:

1. Front setback: No requirement (0).
2. Side Setback: No requirement (0), except a ten (10) foot setback shall be required when the site is abutting any residential district.
3. Rear Setback: Ten (10) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot in the NCRO-1 district shall be ninety percent (90%).

F. Height of structures. The maximum height of any structure shall be twenty-eight (28) feet, except that the height may extend to thirty-five (35) feet when authorized by a design permit granted pursuant to Chapter 17.42 of this title and provided the approving authority is able to make the findings set forth in Section 17.14.110 of this chapter.

G. Fencing Requirements. If the site is next to a residential district, a wood fence of not less than eight (8) feet in height that adequately screens the site from the adjacent residential property shall be installed along the property line abutting the residential district. The planning director may approve deviations from the material and height requirements set forth in the preceding sentence, based upon a finding that the modified fence is more appropriate for the site and the adjacent residential property.

H. Storefronts. All uses at street level facing Visitacion and/or San Bruno Avenues shall be storefronts, as defined in Section 17.02.746 of this chapter, except for entrances to uses above or behind the storefronts. Such uses shall comply with the following additional requirements:

1. The minimum floor area for a storefront use is six hundred (600) square feet. The approving authority may approve a lesser floor area if the approving authority finds that such lesser area is as large as possible for the intended storefront use, given the size, configuration, and physical constraints of the structure and the site.
2. No off-street parking shall be located on any portion of the site between the curb line and the storefront.
3. New construction shall incorporate the necessary vents and chases into the building design so as to allow future changes in occupancy of the storefront area.
4. Single-family dwellings in which mixed uses are conducted shall have a storefront character as viewed from the street.

I. Passive Open Space. Usable passive open space shall be provided for residential uses of at least sixty (60) square feet per unit. Such space may be provided as individual patios or decks, or as common patio or garden area, or any combination thereof.

J. 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. This requirement shall apply to all new commercial or institutional buildings, residential buildings having five or more living units, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 14:** Section 17.14.070 of Chapter 17.14, NCRO Neighborhood Commercial District, is amended to read as follows:

**§17.14.070 – Performance standards.** All uses in the neighborhood commercial district shall be conducted in accordance with the following performance standards:

A. All routine aspects of the day-to-day operations of a business, including the storage of materials and products, shall be conducted entirely within an enclosed structure, with the exception of the following:

1. Outdoor seating associated with a restaurant or retail food sales.
2. Outdoor activities specifically authorized by a use permit.
3. Parking of operable vehicles related to the authorized uses conducted on the site.
4. Shipments and deliveries incidental to the conduct of the primary uses on the site.

B. The following screening requirements shall apply to all uses:

1. Outside storage of pallets or containers used for transportation and delivery of items related to the uses conducted on the site shall be screened from off-site view to the extent it is reasonably possible to do so.
2. The off-site visibility of exterior equipment such as heating and ventilation units, above-ground storage tanks, compactors and compressors, shall be mitigated through such measures as may be reasonable under the circumstances, including, but not limited to, the installation of screening, fencing, painting, landscaping, or any combination of the foregoing.

The foregoing screening requirements are not intended to be exclusive and the approving authority may require, as a condition of the use permit or design permit, such other and additional screening measures as it deems necessary or appropriate to mitigate any potential adverse visual and audible impacts created by the intended use.

- C. The site shall be kept free of trash and debris and all receptacles for collection and recycling shall be completely screened from view at street level.
- D. Sound insulation, housing or baffles, or other reasonable measures, shall be installed in conjunction with heating, air conditioning, and ventilating equipment or other machinery when necessary to effectively mitigate sound emissions distinctly detectable from any off-site location.
- E. Odors that would be offensive to persons of normal sensibilities shall not be distinctly detectable from any off-site location.
- F. Lighting shall be designed to avoid excessive glare as viewed from offsite locations, in compliance with the California Green Building Standards Code.

**SECTION 15:** Section 17.15.040 of Chapter 17.15, HC Beatty Heavy Commercial District, is amended to read as follows:

**§17.15.040 – Development regulations.**

- A. Prior to any development or redevelopment of any property that would result in a net increase in the total building floor area of all existing structures on that site, a specific plan for development of the property shall be prepared and adopted by resolution of the city council. The specific plan shall establish the development and design standards for the proposed project. The specific plan shall meet the requirements of the California Government Code Sections 65451 and 65452. To the extent standards in the specific plan are inconsistent with other zoning regulations, the standards in the specific plan shall prevail.
- B. 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. This requirement shall apply to all new commercial, industrial, or institutional buildings, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to applications for one or more building permits for a single or multiple alterations

submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 16:** Section 17.16.040 of Chapter 17.16, SCRO-1 Southwest Bayshore Commercial District, is amended to read as follows:

**§17.16.040 – Development regulations.** Development regulations in the Southwest Bayshore district are as follows:

- A. Lot Area. The minimum area of any lot shall be seven thousand five hundred (7,500) feet.
- B. Density of Development. The minimum lot area for each dwelling unit on a site shall be as follows:
  - 1. Single-family dwellings: seven thousand five hundred (7,500) square feet;
  - 2. Duplex dwellings: three thousand seven hundred fifty (3,750) square feet;
  - 3. Multiple-family dwellings: one thousand five hundred (1,500) square feet;
  - 4. Mixed use or live/work development: dwelling unit density shall be determined by the use permit.
- C. Lot Dimensions. The minimum dimensions of any lot shall be as follows:

<u>Width</u>	<u>Depth</u>
50 feet	No requirement

- D. Setbacks. The minimum required setbacks for any lot shall be as follows:
  - 1. Front setback: five (5) feet.
  - 2. Side setback: None, except a ten (10) foot setback shall be required when the site is adjacent to any residential use.
  - 3. Rear setback: ten (10) feet.
- E. Lot Coverage. The maximum coverage by all structures on any lot shall be seventy percent (70%).
- F. Height of Structures. The maximum height of any structure shall be thirty-five (35) feet.
- G. Landscaping Requirements.
  - 1. Not less than ten percent (10%) of the lot area shall be improved with landscaping.
  - 2. Plant materials shall be drought resistant and non-invasive as required by the planning director. Where landscaping is located adjacent to unimproved hillside areas, a fire break shall be provided as approved by the city's fire chief.
  - 3. Landscaping required under this section, including replacement landscaping, shall be installed according to detailed plans approved by the planning director. The landscape plans shall be consistent with the following objectives:
    - a. Use of plants that are not invasive;
    - c. Use of water conserving plants; and

d. Use of plants and other landscape features that are appropriate to the context.

4. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

H. Screening Requirements.

1. Outside storage of pallets or containers used for transportation and delivery of items related to the uses conducted on the site shall not be located in any required setback from a street and shall be screened from off-site view to the extent it is reasonable to do so.

2. The off-site visibility of exterior equipment such as heating and ventilation units, above-ground storage tanks, compactors and compressors, shall be mitigated through such measures as may be reasonable under the circumstances, including, but not limited to, the installation of screening, fencing, painting, or landscaping, or any combination of the foregoing.

3. The screening requirements set forth in subsections 1 and 2 of this section are not intended to be exclusive and the approving authority may require, as a condition of the use permit, such other and additional screening measures as it deems necessary or appropriate to mitigate any potential adverse visual and audible impacts created by the intended use.

I. 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. This requirement shall apply to all new commercial or institutional buildings, residential buildings having five or more living units, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 17:** Section 17.16.050 of Chapter 17.16, SCRO-1 Southwest Bayshore Commercial District, is amended to read as follows:

**§17.16.050 – Performance standards.** All uses in the Southwest Bayshore district shall be conducted in accordance with the following performance standards:

- A. All routine aspects of the day-to-day operations of a business, including the storage of materials and products, shall be conducted entirely within an enclosed structure, with the exception of the following:
  - 1. Outdoor activities specifically authorized by the use permit;
  - 2. Parking of operable vehicles related to the authorized uses conducted on the site;
  - 3. Shipments and deliveries incidental to the conduct of the primary use on the site.
- B. The site shall be kept free of trash and debris and all receptacles for collection and recycling shall be completely screened from view at street level.
- C. Sound insulation housing or baffles, or other reasonable measures, shall be installed in conjunction with heating and ventilating equipment or other machinery when necessary to effectively mitigate sound emissions distinctly detectable from any off-site location.
- D. Odors from any use shall not be generally or distinctly detectable from any off-site location.
- E. Lighting shall be designed to avoid excessive glare as viewed from offsite locations, in compliance with the California Green Building Standards Code.

**SECTION 18:** Section 17.18.040 of Chapter 17.18, SP-CRO Sierra Point Commercial District, is amended to read as follows:

**§17.18.040 – Development regulations.** Development regulations for the SP-CRO district are as follows:

- A. Lot area. The minimum area of any lot in the SP-CRO district shall be one acre.
- B. Lot dimensions. The minimum dimensions of any lot in the SP-CRO district shall be as follows:

<u>Width</u>	<u>Depth</u>
100 feet	No requirement

C. Setbacks. The minimum required setback for any lot in the SP-CRO district shall be as follows, except as otherwise established in the combined site and architectural guidelines for Sierra Point:

- 1. Front setback: twenty-five (25) feet;
- 2. Side setbacks:
  - a. Interior side yards: fifteen (15) feet.
  - b. Exterior side yards: twenty (20) feet.
- 3. Rear setbacks:
  - a. Interior lots: twenty (20) feet.
  - b. Corner lots: fifteen (15) feet.

D. Location of structures. The location of structures relative to the mean high tide line shall comply with the requirements set forth in the combined site and architectural design guidelines for Sierra Point.

E. Coverage. The maximum coverage by all structures on any lot shall be forty percent (40%).

F. Height. The height of structures shall comply with the combined site and architectural design guidelines for Sierra Point.

G. Landscaping requirements.

1. A minimum of twenty-five percent (25%) of the total lot area shall be landscaped. Additional landscaping requirements are set forth in the combined site and architectural design guidelines for Sierra Point.

2. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70.

H. 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. This requirement shall apply to all new commercial or institutional buildings, and City facilities (including buildings, structures, marinas, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. The floor area of a marina shall be defined as the space dedicated to the docking or mooring of marine vessels. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases, and such recycling areas shall be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 19:** Section 17.18.045 of Chapter 17.18, SP-CRO Sierra Point Commercial District, is amended to read as follows:

**§17.18.045 – Development regulations.**

A. All research and development uses shall submit to the planning department a risk analysis performed by a qualified hazardous or biologic materials professional specifying all hazardous or biologic materials to be utilized and methods of safe handling and disposal prior to building permit issuance.

B. Research and development involving the use of live animals shall be conducted in compliance with the Institute of Laboratory Animals Resources' Guide for the Care and

Use of Laboratory Animals, and in compliance with all applicable federal, state and local laws and regulations as most recently amended and such other conditions as may be imposed by the city.

C. Research and development uses involving the use of biological agents shall comply with all design standards set forth in the most current Center for Disease Control (CDC) Office of Health and Safety document "Biosafety in Microbiological and Biomedical Laboratories."

D. Lighting shall be designed to avoid excessive glare as viewed from offsite locations, in compliance with the California Green Building Standards Code.

**SECTION 20:** Section 17.19.040 of Chapter 17.19, TC-1 Crocker Park Trade Commercial District, is amended to read as follows:

**§17.19.040 – Development regulations.** Development regulations in the Crocker Park district are as follows:

- A. Minimum building site required: ten thousand (10,000) square feet;
- B. Minimum lot dimensions: one hundred (100) feet width;
- C. Required minimum yards:
  - 1. Front yard: twenty-five (25) feet,
  - 2. Side yards: ten (10) feet,
  - 3. Rear yard: ten (10) feet;
- D. Maximum coverage by all structures: sixty percent (60%);
- E. Maximum allowable height for all structures: fifty (50) feet, and floor area ratio (FAR) shall not exceed 2.0;
- F. Landscaping requirements:
  - 1. Not less than fifteen percent (15%) of the gross lot area shall be improved with landscaping;
  - 2. Landscaping required under this section, including replacement landscaping, shall be subject to approval of the planning director. The landscape plans shall be consistent with the following objectives:
    - a. Use of plants that are not invasive;
    - c. Use of water conserving plants; and
    - d. Use of plants and other landscape features that are appropriate to the context.
  - 3. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70;
- G. Screening requirements:
  - 1. Outside storage of pallets or containers used for the transportation and delivery of items related to the interior use shall not be located in any required setback from a street and shall be screened from off-site view to the extent it is reasonably possible to do so,
  - 2. The off-site visibility of exterior equipment such as heating and ventilation units, above-ground storage tanks, compactors and compressors, shall be mitigated through such measures as may be reasonable under the circumstances, including, but not limited to, the installation of screening, fencing, painting or landscaping, or any combination of the foregoing;



H. 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. This requirement shall apply to all new commercial, industrial, or institutional buildings, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to applications for one or more building permits for a single or multiple alterations submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

J. In the case of conditional uses, additional regulations may be required.

**SECTION 21:** Section 17.19.050 of Chapter 17.19, TC-1 Crocker Park Trade Commercial District, is amended to read as follows:

**§17.19.050 – Performance standards.** All uses in the Crocker Park district shall be conducted in accordance with the following performance standards:

A. All routine aspects of the day-to-day operations of a business, including all storage of materials and products, shall take place entirely within a building, with the following exceptions:

1. Commercial recreation;
2. Parking of operable vehicles related to the interior use;
3. Shipments and deliveries incidental to the primary use.

B. The site shall be kept free of trash and debris and all receptacles for collection and recycling shall be completely screened from view at street level.

C. Sound insulation, housing or baffles, or other reasonable measures, shall be installed in conjunction with machinery, heating and ventilating equipment when necessary to effectively mitigate sound emissions distinctly detectable from any off-site location.

D. Odors from any use shall not be generally or distinctly detectable from any off-site location.

E. Lighting shall be designed to avoid excessive glare at night as viewed from off-site locations, in compliance with the California Green Building Standards Code.

**SECTION 22:** Section 17.20.030 of Chapter 17.20, M-1 Manufacturing District, is amended to

read as follows:

**§17.20.030 – Development regulations.** Development regulations in the M-1 district are as follows:

- A. Minimum building site required, ten thousand (10,000) square feet;
- B. Minimum lot dimensions; one hundred (100) feet width;
- C. Required minimum yards:
  - 1. Front yard, twenty-five (25) feet;
  - 2. Side yards, ten (10) feet;
  - 3. Rear yard, ten (10) feet;
- D. Maximum coverage by all structures, sixty percent (60%);
- E. Maximum allowable height for all structures, fifty (50) feet, provided gross floor area ratio to land may not exceed two (2) to one (1);
- F. Landscaping requirements:
  - 1. Not less than fifteen percent (15%) of the gross lot area shall be improved with landscaping;
  - 2. Landscaping required under this section, including replacement landscaping, shall be according to detailed plans approved by the planning director. The landscape plans shall be consistent with the following objectives:
    - a. Use of plants that are not invasive;
    - c. Use of water conserving plants; and
    - d. Use of plants and other landscape features that are appropriate to the context.
  - 3. New and replacement, irrigated landscapes of 1,000 square feet, or more, shall be subject to the Water Conservation in Landscaping Ordinance. Refer to Chapter 15.70;
- G. 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. This requirement shall apply to all new commercial, industrial, or institutional buildings, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to applications for one or more building permits for a single or multiple alterations submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity,

number, and distribution to serve that portion of the development project which said tenant leases.

H. In the case of conditional uses, additional regulations may be required.

**SECTION 23:** Section 17.24.040 of Chapter 17.24, MLB Marsh Lagoon Bayfront District, is amended to read as follows:

**§17.24.040 – Development regulations.**

A. Development regulations in the MLB district shall be determined by use permit.

B. 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. This requirement shall apply to all new commercial or institutional buildings, and City facilities (including buildings, structures, marinas, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. The floor area of a marina shall be defined as the space dedicated to the docking or mooring of marine vessels. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

**SECTION 24:** Section 17.26.070 of Chapter 17.26, O-S Open Space District, is added to read as follows:

**§17.26.070 – Development regulations.**

A. 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. This requirement shall apply to all new commercial or institutional buildings, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project.

**SECTION 25:** Section 17.28.090 of Chapter 17.28, PD Planned Development District, is amended to read as follows:

**§17.28.090 – Contents of PD Permit.** The PD permit shall constitute authorization for development and use of the site in the manner specified in the permit, and may include, but shall not be limited to, any or all of the following:

- A. Designation of the specific uses that may be conducted on the site, including the quantity of lot area or floor area that may be occupied by individual uses;
- B. Design and location of all improvements to be constructed on the site, including architectural elevations and site plan establishing the structure size, height, coverage, setbacks, distances between structures, and public or private amenities, open space and open areas;
- C. Designation of streets, pedestrian pathways, easements, utility installations, parks, open space areas, recreation facilities, and other improvements or areas to be offered for dedication to the city or other public agency;
- D. Sign program, which shall comply with the requirements set forth in Chapter 17.26 of this title;
- E. Conditions for mitigation and control of adverse impacts created by construction activity authorized by the PD permit to be conducted upon the site or elsewhere;
- F. Conditions for prevention and control of potential adverse geologic impacts, including erosion, slope instability, landslide, or loss of lateral or subjacent support;
- G. Conditions and performance standards for mitigation and control of potential adverse impacts created by the operation of the authorized uses on the site, including restrictions on the type and number of commercial vehicles or equipment, restrictions on the hours of operation, and implementation of measures to control noise, glare, vibration, odors, or other effects upon neighboring properties;
- H. Conditions requiring completion of all necessary proceedings for subdivision or lot line adjustment of the property which is the subject of the PD permit;
- I. Conditions relating to compliance with the requirements of any other regulatory agencies having jurisdiction over the site, including the Regional Water Quality Control Board, the State Department of Toxic Substances Control, and the State Solid Waste Management Board.
- J. Conditions requiring provision of adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles. 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. This requirement shall apply to all new commercial, industrial, or institutional buildings, residential buildings having five or more living units, and City facilities (including buildings, structures, and outdoor recreation areas owned by the City) where solid waste is collected and loaded. This requirement shall also apply to any existing development for which building permit applications are submitted within a 12-month period collectively adding 30 percent or more to the existing floor area of the development project. For existing developments occupied by multiple tenants, this requirement shall apply to building permit applications submitted by any tenant within a 12-month period collectively adding 30 percent or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases. This requirement shall also apply to new residential subdivisions containing an area where solid waste is collected and loaded in a location which serves five or more living units. Such recycling areas are only required to serve the needs of the living units which utilize the solid waste collection and loading area.

**SECTION 26:** Section 17.34.085 of Chapter 17.34, Off-Street Parking, is added to read as follows:

**§17.34.085 – Parking for Designated for Clean Air Vehicles.** Parking spaces designated for low-emitting, fuel-efficient and carpool/van pool vehicles, as defined in Section 5.102 of the California Green Building Standards Code, shall be provided for newly constructed non-residential buildings according to the following schedule:

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED SPACES
0-9	0
10-25	1
26-50	3
51-75	6
76-100	8
101-150	11
151-200	16
201 and over	At least 8 percent of total

The designated spaces shall be marked “CLEAN AIR VEHICLE” with stall-striping paint, such that the lower edge of the last word aligns with the end of the stall striping so it will be visible beneath a parked vehicle.

**SECTION 27:** Section 17.34.085 of Chapter 17.34, Off-Street Parking, is added to read as follows:

**§17.34.095 – Bicycle Parking.** Short-term and long-term parking for bicycles shall be provided for newly-constructed non-residential buildings as follows:

A. Short Term Parking. One or more permanently anchored bicycle racks shall be provided within 200 feet of the visitors' entrance and readily visible to passers-by. The required bicycle parking capacity shall be set as follows:

1. 1 bike rack space per 10,000 sq. ft. of retail floor area;
2. 1 bike rack space per 150,000 sq. ft. of office floor area;
3. Other non-residential uses: five percent (5%) of visitor motorized vehicle parking capacity.
4. Any fractional result shall be rounded up.
5. For all non-residential buildings, the minimum capacity shall be for two bicycles.

B. Long Term Parking. Permanently anchored bike racks inside covered, lockable enclosures or bicycle rooms or permanently anchored bicycle lockers shall be provided at convenient locations from the street. The required bicycle parking capacity shall be set as follows:

1. 1 space per 20,000 sq. ft. of warehouse floor area;
2. 1 space per 6,000 sq. ft. of retail floor area;
3. 1 space per 6,000 sq. ft. of office floor area;
4. Other non-residential uses: five percent (5%) of motorized vehicle parking capacity.
5. Any fractional result shall be rounded up.
6. For all non-residential buildings, the minimum capacity shall be for one bicycle.

**SECTION 28:** Section 17.42.040 of Chapter 17.42, Design Permits, is amended to read as follows:

**§17.42.040 – Findings required for issuance of design permit.** The planning commission may grant a design permit as applied for or in modified form if, on the basis of the application and the evidence submitted, the commission finds and determines that the proposed development is consistent with the general plan and any applicable specific plan and the commission also makes such of the following findings as may be applicable to the proposed development:

- A. The proposal maintains a balance of scale, form and proportion, and uses design components that are harmonious and materials and colors that complement the project. The proposal integrates well with elements of the site plan and of surrounding areas.
- B. The orientation and location of buildings, structures, open spaces and other features maintain a compatible relationship to adjacent development.
- C. Where a proposal abuts or is in close proximity to uses other than that proposed, the plan takes into account its effect on and maintains the quality of the other land uses.
- D. For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact. Significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park are preserved.
- E. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.

F. The proposal encourages alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicycles, public transit stops and access to other means of transportation.

G. The site provides open areas and landscaping to complement the buildings and structures. Landscaping is also used to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is generally water conserving and is appropriate to the location. Attention is given to habitat protection and wildland fire hazard as appropriate.

H. The proposal takes reasonable measures to protect against external and internal noise.

I. Consideration has been given to avoiding off-site glare from lighting and reflective building materials, in compliance with the California Green Building Standards Code.

J. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.

K. Signage is appropriate in location, scale, type and color, and is effective in enhancing the design concept of the site.

L. Provisions have been made to meet the needs of employees for outdoor space.

**SECTION 29:** 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 30:** 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 \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
City Attorney