


# *City of Brisbane*

## *Planning Commission Agenda Report*

TO: Planning Commission For the Meeting of 2/23/12

FROM: Tim Tune, Senior Planner, via John Swiecki, Community Development Director 

SUBJECT: **Zoning Text Amendment RZ-5-11** to Amend Brisbane Municipal Code Title 17; Chapter 17.06, R-1 Residential District; Chapter 17.08, R-2 Residential District; Chapter 17.10, R-3 Residential District; Chapter 17.12, R-BA Brisbane Acres Residential District; Chapter 17.32, General Use Regulations; Chapter 17.34, Off-Street Parking; and Chapter 17.38, Nonconforming Uses and Structures; City of Brisbane, applicant.

**UPDATE:** For the February 9<sup>th</sup> public hearing, the attached written comments were received from Dana Dillworth, Barbara Ebel and Luc Bouchard (on behalf of himself, Ron Davis, Michael Glynn and Jerry Kuhel).

As suggested by Ms. Dillworth, staff has updated Section 17.06.040.B in the draft ordinance (attached) to delete the phrase “by a use permit granted” since Use Permits are no longer required for secondary dwelling units per BMC Chapter 17.43.

In response to the comments on garage setbacks from Ms. Dillworth and Luc Bouchard et al., it should be clarified for the record why setback changes are proposed in the draft ordinance. Currently, BMC Section 17.32.070.A.3.a allows garages, carports and parking decks anywhere within the front setback, provided “the garage is approved by the city engineer, based upon a finding that no traffic or safety hazard will be created.” The draft ordinance would reflect this exception in the front setback standards for the R-1, R-2 and R-3 Districts, with 10 ft. being specified as the default setback for garages/carports. To require a similar 10 ft. setback for garages/carports on corner lots that have a driveway accessing the side street (where the minimum standard side setback is 5 ft.), a similar requirement would be added to the side setback standards for the R-1, R-2, R-3 and R-BA Districts.

Note that no change was proposed to the current 10 ft. front setback in the R-BA District as specified in BMC Section 17.12.040.D.1; although, BMC Section 17.32.070.A.3.a could be cited to allow less than a 10 ft. front setback for garages/carports in the district. To avoid this potential conflict, staff recommends that BMC Section 17.32.070.A.3.a be amended so as to apply specifically to the R-1, R-2 and R-3 Districts only (see attached draft ordinance).

Mr. Bouchard pointed out that a 10 ft. front setback for a garage on a steep downslope site may result in the garage exceeding the 30 ft. height limit for the R-1, R-2 and R-3 Districts. One way

in which this could be addressed would be to revise the development regulations for height of structures in BMC Sections 17.06.040.G.2, 17.08.040.G.2 & 17.10.040.G.2 :

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 *and carports* 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. *A garage or carport in compliance with this subsection may exceed a height of thirty (30) feet, but the height of and so long as the total height of the garage and* any permitted living area underneath *shall does* not exceed thirty (30) feet from finish grade.

In the R-BA District, this would be addressed be revising BMC Section 17.12.040.G.2.b:

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,

a. residential structures on sites sloping down from the adjacent street may be constructed to a height of twenty (20) feet above the elevation of the center of the street, so long as the height does not exceed thirty-five (35) feet from finish grade; and

b. garages *and carports* 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. *A garage or carport in compliance with this subsection may exceed a height of thirty-five (35) feet, but the height of and so long as the total height of the garage and* any permitted living area underneath *shall does* not exceed thirty-five (35) feet from finish grade.

The Commission requested the data supporting the previously suggested parking standard of 1 space per 900 sq. ft. Although the 2010 U.S. Census and the 2006-2010 American Community Survey have not released square footage figures for dwelling units in Brisbane, staff was able to extrapolate average dwelling floor area per vehicle owned from the 1990 and 2000 U.S. Censuses.

According to the 1990 U.S. Census, all but 99 of the 1,300 total number of households in Brisbane had at least one car. Of the 1,687 employed persons in Brisbane 16 years or older, 1,283 (76.1%) drove alone to work and 238 (14.1%) carpooled. Of those who carpooled, 180 were in a 2-person carpool and the remainder were in larger carpools. Assuming that at least half of those persons in the 2-person carpools owned a car, the total number of cars owned by Brisbane residents who worked would have been 1,373. This would translate into an ownership rate of at least 0.8 cars per employed person 16 years or older.

At that time, 2,460 Brisbane residents out of a total of 2,952 were 16 years or older. If the same ownership rate were applied to the entire population 16 years or older (employed or not), excluding the at least 99 persons in households without cars, there would have been 1,889 vehicles owned by local residents, amounting to 1.45 per household. This would be quite an assumption, since it would probably exaggerate ownership rates for those who were at the upper and lower ends of the range of ages covered, particularly since those 65 years or older were specifically known to have a lower car ownership rate. For example, of the 99 households in Brisbane without any vehicles, 33% were headed by a householder at least 65 years old, while only 10% of the total households in Brisbane were headed by a householder at least that old. This exaggeration might compensate, though, for the lack of data on the number of persons owning multiple vehicles.

According to the 1990 U.S. Census, the average housing unit in Brisbane had 4.57 rooms, including 2.01 bedrooms. While there was no information on the average size of housing units in Brisbane, the nationwide median home at that time contained 5.4 rooms, including 2.6 bedrooms, and 1,688 sq. ft. Extrapolating from these figures, the average housing unit in Brisbane was 1,305-1,428.5 sq. ft. At 1.45 vehicles per unit, this would translate to 1 vehicle per 900-985 sq. ft. or 0.72 vehicles per bedroom.

<b>BRISBANE VEHICLE OWNERSHIP RATES</b>						
	Studio	1-BR	2-BR	3-BR	4-BR	5-BR
<b>1990 U.S. Census:</b>						
0.72 per BR	N/A	0.72	1.44	2.16	2.88	3.6
1 vehicle per 900-985 sq. ft.						
<b>2000 U.S. Census:</b>						
0.77 per BR	N/A	0.77	1.54	2.31	3.08	3.85
1 vehicle per 830-892 sq. ft.						
<b>2010 U.S. Census:</b>						
N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A						

BR = Bedroom  
 N/A Data not available

Data regarding vehicle ownership in Brisbane from the 2000 U.S. Census generally corroborates the conclusions drawn from the 1990 U.S. Census. In 2000, 72 households out of a total of 1,614 had no vehicles available, 621 had 1 vehicle, 701 had 2 vehicles and 220 had 3 or more. This translates into a total of at least 2,683 vehicles and an average of at least 1.66 vehicles per household. According to the 2000 U.S. Census, of the 2,079 employed persons in Brisbane 16 years or older, 1,498 drove alone to work (72.1%, down from 76.1% in 1990) and 273 carpooled (13.1%, down from 14.1% in 1990; additional details regarding carpool size are not available). Assuming that at least half of those persons in the 2-person carpools owned a car, the total number of cars owned by Brisbane residents who worked would be 1,635. This would translate