

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: **RESOLUTION NO. 2015-47** Resolution of Intent to amend zoning ordinance provisions pertaining to the M-1 Zone

DATE: Meeting of November 19, 2015

City Council Goals:

To provide for effective and efficient delivery of City services. (Goal #1)

Purpose:

For the City Council to initiate a zoning code text amendment to bring the terminology used in the Zoning Ordinance for the existing M-1 Zone into conformity with the terminology used in the General Plan and to consider appropriate zoning categories for the multiple geographic areas now zoned M-1.

Recommendation:

That the City Council adopt attached Resolution 2015-47.

Background/Discussion:

In conjunction with introducing Ordinance 599 on November 5, 2015 to revise the list of permitted and conditionally permitted uses in the M-1 Zone, the City Council further directed staff to come back with a Resolution of Intention to initiate a zoning code text amendment.

The two specific issues to be addressed in the text amendment include the following:


1. **General Plan Consistency.** It was pointed out that the terminology the Zoning Ordinance uses for the M-1 zone predates and is different from the terminology used in the 1994 General Plan. In particular, the Zoning Ordinance calls the zoning district "Manufacturing", while the General Plan labels the same geographic area "TC-Trade Commercial land use." Although the particular land uses set forth in the Zoning Ordinance for this zone are fully consistent with land uses designated for the same

geographic area in the General Plan, the difference in terminology has created some confusion. It would be appropriate to amend the title and text of the current M-1 zone as needed to ensure that the Zoning Ordinance uses the same terminology for that zone that is used in the General Plan.

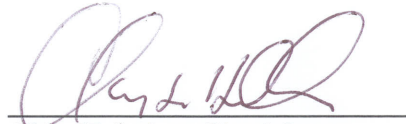
2. **Geographic Applicability.** It was brought up that the existing M-1 zone applies to multiple geographic areas (Northwest Bayshore, Northeast Bayshore, and Southeast Bayshore) and concerns were raised about whether a single zoning category is appropriate for all three of these distinct geographic areas. This issue will be evaluated in the forthcoming zoning text amendment if initiated by the City Council.

Attachment:

Resolution 2015-47



John A Swiecki, Community Development Director



Clay Holstine, City Manager

RESOLUTION NO. 2015-47

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE TO INITIATE AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BRISBANE TO AMEND THE M-1 ZONE AS APPROPRIATE TO ENSURE CONSISTENCY IN TERMINOLOGY BETWEEN THE ZONING ORDINANCE AND THE ADOPTED 1994 GENERAL PLAN AND TO CREATE DISTINCT GEOGRAPHIC DISTRICTS AS NEEDED

WHEREAS, Section 17.50.010 of the Brisbane Municipal Code provides in part that the process to initiate an amendment to the Zoning Ordinance whereby a new regulation would be imposed on property is by the filing of a resolution of intention by the City Council; and

WHEREAS, on November 5, 2015 the City Council by a vote of 4 ayes and 1 no introduced Ordinance No. 599 amending the M-1 Manufacturing District zoning text, Brisbane Municipal Code (BMC) Chapter 17.20 to expand the permitted uses and the uses which may be allowed subject to conditional use permit; and

WHEREAS, the City Council in its deliberations on Ordinance 599 expressed its concern that the terminology used in the current title and text of the M-1 Zone is different than the terminology used in the adopted 1994 General Plan, which unlike the Zoning Ordinance, does not recognize the term “Industrial” as a distinct General Plan land use designation; and

WHEREAS, the City Council in its deliberations on Ordinance 599 expressed its concern that the existing M-1 zone covers multiple distinct geographic districts, and the appropriateness of the zoning category for these multiple geographic districts should be re-evaluated and modified as needed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRISBANE AS FOLLOWS:

1. The City Council files this Resolution of Intention to initiate the process by which the City’s Zoning Ordinance may be amended by bring the terminology used in the existing M-1 zone title and text into conformance with the terminology used in the General Plan, and to establish zoning designations as appropriate for areas now zoned M-1 to ensure the adopted zoning designations are suitable and appropriate for the affected geographic areas.
2. This Resolution of Intention is referred to City staff to prepare and present to the Planning Commission for its consideration and recommendation to the City Council a report and proposed amendments to the Zoning Ordinance as described herein.
3. This resolution of intention is effective immediately upon its adoption.

Terry O’Connell, Mayor

I hereby certify that the foregoing Resolution No. 2015-47 was duly and regularly adopted at the regular meeting of the Brisbane City Council on November 19, 2015 by the following vote:

AYES:
NOES:
ABSENT:

Sheri Marie Spediacci, City Clerk