CITY of BRISBANE

City Council Meeting Agenda

Thursday, April 3, 2025 at 6:30 PM • Hybrid Meeting 50 Park Place, Brisbane, CA

The public may observe/participate in City Council meetings using remote public comment options or attending in person. City Council members shall attend in person unless remote participation is permitted by law. The City Council may take action on any item listed in the agenda.

TO ADDRESS THE COUNCIL

IN PERSON

Location: Community Meeting Room 50 Park Place, Brisbane, CA 94005

Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectively request that people not attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

To address the City Council on any item – whether on the posted agenda or not – please fill out a Request to Speak Form located in the Community Meeting Room Lobby and submit it to the City Clerk. Speakers are not required to submit their name or address.

REMOTE PARTICIPATION

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The agenda materials may be viewed online at brisbaneca.org at least 72 hours prior to a Regular Meeting, and at least 24 hours prior to a Special Meeting.

Remote Public Comments:

Remote meeting participants may address the City Council via Zoom Webinar. Aside from commenting personally while in the Zoom Webinar, you can also use the call in number. The public comments received will be noted for the record during Oral Communications 1 and 2 or during an agenda item. We encourage you to email comments on or not on agenda items in advance of the meeting to ipadilla@brisbaneca.org. That email address, however, will not be monitored during the meeting and emails received during the meeting will not be responded to or brought to the attention of the City Council during the meeting.

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brisbaneca.org/cc-zoom

Webinar ID: 991 9362 8666
Call In Number: 1 (669) 900-9128
Note: Callers dial *9 to "raise hand" and dial *6 to mute/unmute.

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SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact the City Clerk at (415) 508-2113. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

WRITINGS THAT ARE RECEIVED AFTER THE AGENDA HAS BEEN POSTED

Any writings that are received after the agenda has been posted but before 4pm of the day of the meeting will be available for public inspection at the front lobby in City Hall and on the internet (brisbaneca.org/meetings). Any writings that are received after 4pm of the day of the meeting will be distributed to the Council and made available for public inspection at the front lobby and on the internet the day after the meeting (brisbaneca.org/meetings).

6:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

ROLL CALL

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

ADOPTION OF AGENDA

AWARDS AND PRESENTATIONS

B. San Mateo County Mosquito and Vector Control District Update

ORAL COMMUNICATIONS NO. 1

CONSENT CALENDAR

C. Approve Minutes of City Council Meeting of March 20, 2025

D. Approve Minutes of City Council Special Meeting of March 22, 2025

E. Approve Investment Report as of February 2025

F. Approve Construction Contract for "Pedestrian Walkway – Alvarado Street to San Benito Road" to Michael Glynn Construction Services, Inc. in the Amount of $376,535.00, and Authorize the Mayor to Sign the Agreement for the City

G. Approve Complete Streets Safety Committee Workplan for 2025

H. Approve Crocker Trail CEQA Study Award of Contract to RRM Design Group

(It is being recommended to award a contract in the amount of $175,800 to RRM Design Group to provide preliminary design and environmental compliance services for the improvement of the Crocker Trail.)

PUBLIC HEARING

I. Consider Introducing an Ordinance Approving a Zoning Text Amendment 2024-RZ-2, City-wide

(It is being recommended to introduce an Ordinance amending regulations within Title 17 of the Brisbane Municipal Code including the development standards for multifamily and mixed-use zoning districts and the exceptions to the lot size standards, consistent with California Senate Bill SB 478 (2021) and the 2023-2031 Housing Element; and to amend the reasonable accommodations exceptions consistent with the Housing Element; and finding that this amendment is exempt from environmental review under CEQA Guidelines Sections 15061(b)(3) and Section 15183; City of Brisbane, applicant.)

STAFF REPORTS

J. City Manager's Report- City Updates and Upcoming Activities

MAYOR/COUNCIL MATTERS

K. City Council Meeting Schedule
    i. Proposed Special Meeting on June 26, 2025

L. Countywide Assignments and Subcommittee Reports
    i. Report Out on Subcommittee Meetings
    ii. Upcoming Subcommittee Meetings

M. Written Communications

ORAL COMMUNICATIONS NO. 2

ADJOURNMENT

File Attachments for Item:

B. San Mateo County Mosquito and Vector Control District Update

Board of Trustees Meeting Summary

San Mateo County Mosquito and Vector Control District

Michael A. Goldman, Trustee (Brisbane)

12 March 2025

The District is consolidating operations in the area of their present facility on Rollins Road in Burlingame, expanding into an existing space nearly adjacent on Carolan Road. The cost to renovate the space with be approximately $9.8M over three years, most of it in 2026-2027. The funds are already held in a capital expense fund, and will not require financing. 60% of the costs will be in improvements to meet code, including seismic retrofitting, accessibility and fire. It includes a small contingency. We expect a briefing from Capital Program Management at our April meeting.

Operations personnel (who service individual areas like Brisbane) were recently assigned to new areas. They rotate every two years to maximize familiarity with all regions of the County. I will try to get a briefing from the people serving our city before I meet with the City Council. The incidence reports I have viewed show few calls about mosquito or rodent concerns in Brisbane, as well as a general trend toward fewer calls in the northern region of the County.

The laboratory reports an increase in calls about avian flu, and 107 dead bird reports this Jan/Feb compared with only 27 at this time last year. Based on field experience and park ranger reports, this is likely to be increased public awareness rather than an increase in bird deaths. None of the birds have been positive for West Nile virus (WNV). The USDA monitors wild birds, and has reported no positives in the County either, but some waterfowl and raptors have had avian flu. The staff sees no cause for alarm. Actor Gene Hackman's wife's death due to hantavirus has caused increased awareness, but they were in a region of high incidence, while we see only a 1-2% incidents in rodents, and the typical house mouse is not a vector (transmitter) of this disease. The District usually uses chickens to monitor for certain respiratory diseases, but has backed off on this temporarily because of limited availability and concerns about avian flu.

Staff maintain a strong program of public outreach, including recent visits to a school in Brisbane, and several have just returned from an internation conference in Puerto Rico, where there is a Dengue fever outbreak, again of no concern locally. The Director pointed out that Puerto Rico has many invasive species of mosquitoes, and dealing with them was a focus of the meeting. He commented that, in view of climate change, we are all likely to benefit from their experience in the next 20 years. They will also attend a symposium in Alameda on invasive species. Staff may join us for the City Council presentation.

The Information Technology (IT) group has received a $184K grant to upgrade cybersecurity infrastructure. The District IT portfolio is heavily weighted toward

maintaining mapping and geographical information systems to monitor and direct operations efforts at preventive treatment and response to pest complaints and sightings. Future versions of the software are likely to incorporate artificial intelligence into predictions.

There have been no disruptions in service due to Federal government instability that have impacted District operations.

I filed a Form 700 “Conflict of Interest” with the District after the meeting.

This is my report as a Trustee, rather than an official document of the District or the City of Brisbane.

File Attachments for Item:

C. Approve Minutes of City Council Meeting of March 20, 2025

BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING AGENDA
THURSDAY, MARCH 20, 2025

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

7:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Lentz called the meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

ROLL CALL

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

No Councilmembers made a request under Roll Call Item A.

Councilmembers present: Councilmembers Davis, Frank, Mackin, O'Connell and Mayor Lentz
Councilmembers absent: None

Staff Present: City Manager Dennis, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen Community Development Director Swiecki, Parks and Recreation Director Leek, Police Commander Garcia, and Administrative Management Analyst Ibarra

ADOPTION OF AGENDA

Councilmember Davis made a motion, seconded by Councilmember O'Connell, to adopt the agenda as it stands. The motion was carried unanimously by all present.

Ayes: Councilmembers Davis, Frank, Mackin, O'Connell and Mayor Lentz
Noes: None
Absent: None
Abstain: None

ORAL COMMUNICATIONS NO. 1

Helga Gerdes asked what can be done to stop a tree from being cut down due to the new Public Art project.

CONSENT CALENDAR

B. Approve Minutes of City Council Meeting of March 6, 2025

C. Approve Minutes of City Council Closed Session Meeting of March 6, 2025

D. Approve Minutes of City Council Meeting of February 20, 2025

E. Approve Investment Report as of January 2025

F. Approve Final Designs from Angelina Duckett and McGrath Arts for Public Art on the Stairway of Alvarado to San Benito

(Funding to support this project has already been approved and allocated by the City Council using funds that are available within the Public Art Fund. There is no additional fiscal impact resulting from the approval of this item.)

G. Approve and Receive the Donation for Police K-9 Ringo's Bulletproof Vest

(Staff is recommending approving and receiving the donation from the Unity and Goldengate Chapters, Order of the Eastern Star, in the amount of $3,800 for the purchase of the Police Canine, Ringo's bulletproof vest.)

H. Crocker Park Shuttle Stop Improvements

(It is being recommended to award the construction contract for the Commuter Shuttle Stop Improvements to Raposo Engineering, Inc. in the amount of $190,718, and authorize the Mayor to sign the Agreement for the City.)

I. 2024 Housing Element Progress Report

(It is being recommended to direct staff to submit the 2024 Housing Element Annual Progress Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.)

Councilmember O'Connell made a motion, seconded by Councilmember Mackin, to approve the Consent Calendar Items B-I. The motion was carried unanimously by all present.

Ayes: Councilmembers Davis, Frank, Mackin, O'Connell and Mayor Lentz
Noes: None
Absent: None
Abstain: None

DRAFT

NEW BUSINESS

J. Adoption of Public Art Master Plan

(Staff is recommending adopting the public art master plan which will provide long-term direction to the Public Art Advisory Committee and the City Council on the planning and processes necessary to further develop, administer and maintain a dynamic public art program in the City of Brisbane. There is no financial impact associated with adopting the public art master plan.)

Parks and Recreation Director Leek introduced Olivia Dahlquist and Molly Bird Casey NINE dot ARTS. NINE dot ARTS was awarded a contract to establish Brisbane's Public Art Master Plan. NINE dot ARTS worked collaboratively with the City's Public Art Advisory Committee and City Staff to ensure broad public outreach and involvement to curate a vision for Brisbane's public art.

Staff members from NINE dot ARTS reported the master plan outlines policies and procedures, prioritizes City needs related to public art, and identifies typologies and locations for art throughout the City. The plan also provides directions on guidelines and best practices for maintenance and deaccessioning while encompassing templates and forms to support the various processes outlined.

After Council questions, Michael Barnes commented that the Public Art Master Plan missed an opportunity by not making the recommendation to remove elected officials from the Public Art Advisory Committee. The best practice would be to only have members on this committee that are from the arts profession and arts practitioners.

Councilmembers thanked NINE dot ARTS for a thorough presentation. Councilmember O'Connell made a motion, seconded by Councilmember Kern, to adopt the Public Art Master Plan. The motion was carried unanimously by all present.

Ayes: Councilmembers Davis, Frank, Mackin, O'Connell and Mayor Lentz
Noes: None
Absent: None
Abstain: None

K. Volunteer of the Year Selection Process

(Staff is recommending reviewing and to consider the existing process for Volunteer of the Year selection and provide direction to staff if changes are desired.)

Parks and Recreation Director Leek reported that this item is an opportunity for the Council to review the existing Volunteer of the Year selection process and suggest improvements or modifications. She added that if there are aspects of the process that require refinement, modifications for the 2025 process can be made at this time.

After Council questions, no public comment, and council discussion, staff was directed to hold a Council workshop to discuss the Volunteer of the Year process and other opportunities to recognize members of the larger community.

STAFF REPORTS

L. City Manager's Report- City Updates and Upcoming Activities

City Manager Dennis reported on the latest City news and upcoming activities. He also reminder the public that the next City Council Meeting on April 3, 2025 will be held at 6:30 p.m.

MAYOR/COUNCIL MATTERS

M. Countywide Assignments and Subcommittee Reports

i. Report Out on Subcommittee Meetings
ii. Upcoming Subcommittee Meetings

Council members reported on their subcommittee meetings and county assignments.

N. Written Communications

Written correspondence was received by the Council from the following members of the public:

- Eaves (03-11-2025) Quarry
- Hall (03-06-2025) Quarry
- Larson (03-11-2025) Spring Thing
- Spitz (03-17-2025) PGE Power Acquisition CEQA Update

ORAL COMMUNICATIONS NO. 2

No members of the public wished to make public comment.

ADJOURNMENT

Mayor Lentz adjourned the meeting at 9:12 P.M. The next City Council Meeting of April 3, 2025 will be held at 6:30 p.m.

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Ingrid Padilla
City Clerk

DRAFT

File Attachments for Item:

D. Approve Minutes of City Council Special Meeting of March 22, 2025

BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL SPECIAL MEETING AGENDA
SATURDAY, MARCH 22, 2025

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

11:00 A.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Lentz called the meeting to order and led the Pledge of Allegiance at 11:03 P.M.

ROLL CALL

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

No requests were made under Roll Call Item A.

Councilmembers present: Councilmembers Davis, Kern, Mackin, O'Connell and Mayor Lentz
Councilmembers absent: None
Staff Present: City Manager Dennis, City Clerk Padilla, Finance Director Yuen, Assistant City Manager Fernandez, City Engineer Breault, Community Development Director Swiecki, Parks and Recreations Director Leek, Human Resources Director Partin, Assistant to the City Manager Cheung, Economic Development Director Bull, Police Chief Macias, Deputy Fire Chief Johnson, and Administrative Analyst Ibarra.

ADOPTION OF AGENDA

Councilmember O'Connell made a motion, seconded by Councilmember Davis to approve the agenda as it stands.

Ayes: Councilmembers Davis, Kern, Mackin, O'Connell and Mayor Lentz
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENT

No members of the public wished to speak.

WORKSHOP

B. Priority Study Session

(Councilmembers will set priorities to help staff know what projects to consider to support the goal, to help the public understand the Council's direction and to help the City focus limited resources on the highest need.)

City Manager Dennis presented the agenda, defined what a priority is, and why this priority setting exercise is important. The new Council priorities will be used for the following:

- Provide the public an understanding of Council efforts
- Provide overall guidance on how the staff will focus their time and city resources
- Provide progress accountability

Councilmembers discussed their suggested priorities for the upcoming year.

Carol Zoltowksi suggested that the City requests bids from contractors to help the Council's decision making around repairing the City's facilities.
Michele Salmon commented that strengthening volunteerism and having a devoted group of volunteers in the City can reduce the cost of facility maintenance and other city projects.
Al Gilbert suggested that having a revenue focused discussion is preferable rather than cutting city programs. He advocated for affordable housing focused on Brisbane residents and a volunteer-supported evacuation drill in the City.
Michele Salmon commented that a viable Visitacion Avenue means having an age-friendly community. The City should have 2 hour parking in Visitacion during the day and a five-minute parking for customers or delivery people picking up food.

After Council questions and discussion, the Council recommended three priorities for Fiscal Year 2025-2026:

- Maintenance of the City's fiscal health, consider the recent budget deficit
- Maintaining the City's existing facilities and a time-set plan for determining long-term use for all the City's existing and potential facilities
- Expansion of the City's robust volunteer spirit and forging partnerships with businesses and community-based organizations to accomplish projects in a cost-effective manner.

City Manager Dennis added that staff will provide a report at the City Council Meeting of April 17, 2025 to consider approval of the Council's priorities for Fiscal Year 2025-2026.

ADJOURNMENT

Mayor Lentz adjourned the meeting at 1:42 P.M.

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Ingrid Padilla
City Clerk

DRAFT

File Attachments for Item:

E. Approve Investment Report as of February 2025

CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
SOURCE OF FUNDING
February 28, 2025

NAME OF DEPOSITORY	INVESTMENT TYPE	DATE OF INVESTMENT	FACE VALUE OF INVESTMENT	CARRY VALUE OF INVESTMENT	MARKET VALUE OF INVESTMENT	COUPON INTEREST RATE %	MATURITY DATE	RATING/ COLLATERAL
WELLS FARGO	Checking A/C		$ 7,122,423	$ 7,122,423	$ 7,122,423	0.000		110% collateral
STATE FUND (LAIF)	Deposit on call	continuous	$ 2,617,684	$ 2,617,684	$ 2,617,684	4.350	on call	no rating
Other Investments								
	FHLB	3/24/2022	$ 1,000,000	$ 1,000,000	$ 998,600	2.000	03/24/2025	
	FHLB	4/22/2022	$ 1,000,000	$ 1,000,000	$ 997,680	2.750	04/22/2025	
	FHLB	7/28/2022	$ 1,000,000	$ 1,000,000	$ 998,460	4.050	07/28/2025	
	FHLB	12/31/2021	$ 1,000,000	$ 1,000,000	$ 982,870	1.300	09/30/2025	
	FHLB	10/27/2022	$ 1,000,000	$ 1,000,000	$ 1,003,340	4.750	10/27/2025	
	FFCB	9/12/2022	$ 1,000,000	$ 1,000,000	$ 999,610	4.125	12/12/2025	
	FFCB	12/1/2023	$ 1,000,000	$ 1,000,000	$ 1,005,730	5.060	12/01/2026	
	FHLB	3/25/2022	$ 1,000,000	$ 1,000,000	$ 970,090	2.600	03/25/2027	
	FHLB	5/26/2022	$ 1,000,000	$ 1,000,000	$ 998,970	4.000	05/26/2027	
	FHLB	5/26/2022	$ 1,000,000	$ 1,000,000	$ 989,210	3.750	05/26/2027	
	FHLB	11/19/2024	$ 1,000,000	$ 1,000,000	$ 1,000,880	4.650	11/19/2027	
	FHLB	12/20/2024	$ 1,000,000	$ 1,000,000	$ 999,690	4.800	12/20/2027	
	FHLM	6/25/2024	$ 1,000,000	$ 1,000,000	$ 1,001,760	5.500	06/25/2029	
	FHLB	7/29/2024	$ 1,000,000	$ 1,000,000	$ 1,000,790	5.150	07/25/2029	
	FHLB	10/30/2024	$ 1,000,000	$ 1,000,000	$ 999,270	5.020	10/30/2029	
	FHLM	11/19/2024	$ 1,000,000	$ 1,000,000	$ 1,003,310	5.000	11/19/2029	
BNY Mellon	Treasury Obligations	continuous	$ 9,112,907	$ 9,112,907	$ 9,112,907	4.270	on call	110% collateral
Sub-total			$ 25,112,907	$ 25,112,907	$ 25,063,167			
U.S. Bank	2014 BGPGA Bond (330)	Improvements	Fed Treas Obl	$ -	*10031*			
		Reserve Fund	Fed Treas Obl	$ 1	*10032*			
		Revenue Fund	Fed Treas Obl	$ -	*10034*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
		Principal	Fed Treas Obl	$ 1	*10036*			
		Interest Fund	Fed Treas Obl	$ 0	*10037*			
U.S. Bank	2015 Utility Capital (545)	Improvements	Fed Treas Obl	$ -	*10031*			
		Reserve	Fed Treas Obl	$ 85,327	*10032*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
BNY Mellon	2023 BGVMIDFA Bond (328)	Improvements	Fed Treas Obl	$ 33	*10031*			
		Reserve / Project	Fed Treas Obl	$ 1,816,955	*10032*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
		Principal	Fed Treas Obl	$ -	*10036*			
		Interest Fund	Fed Treas Obl	$ -	*10037*			
PARS	OPEB Trust	Trust Cash	Investments	$ 4,415,673	*13050*			
PARS	Retirement Trust	Trust Cash	Investments	$ 1,717,140	*13050*			
Sub-total	Cash with Fiscal Agents			**$ 8,035,130**				
	Total other investments		$ 33,148,037	**$ 33,148,037**	$ 25,063,167			
TOTAL INVESTMENTS & CASH BALANCES			$ 42,888,143	$ 42,888,143	$ 34,803,273			

Outstanding Loans to Department Heads / Former Employees

	Date of loan	Amount	Amount Remaining	Interest Rate
Stuart Schillinger	**4/1/2002**	**318,750**	**$ 318,750**	**Variable, LAIF + 1%**

FFCB - Federal Farm Credit Bank
FHLB - Federal Home Loan Bank
FHLM - Federal Home Loan Mortage Corporation
FNMA -Federal National Mortgage Association

Two year Treasury	4.08%	
Weighted Interest	3.29%	
Weighted maturity	1.19	Years

TREASURER'S CERTIFICATE

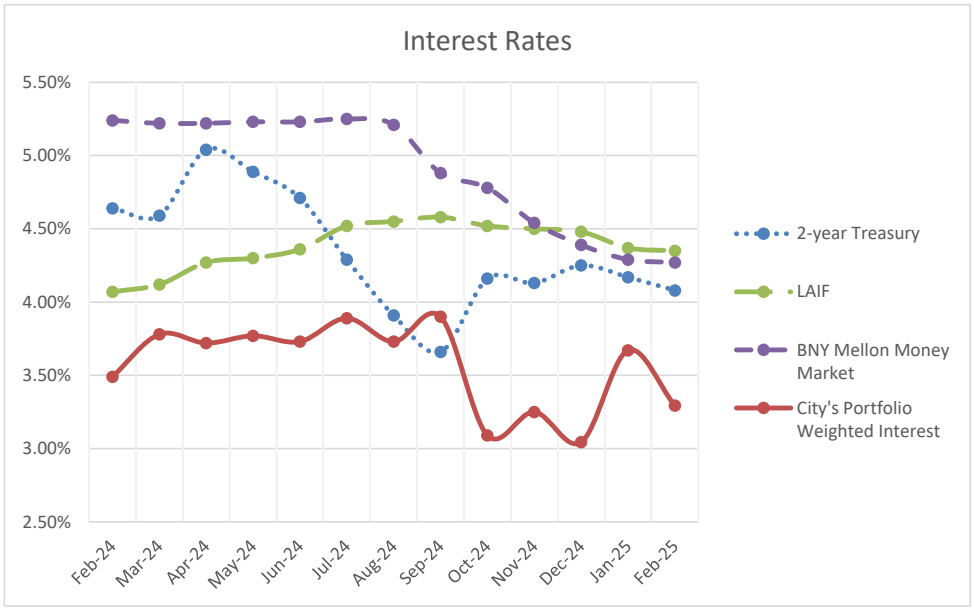
These are all the securities in which the city funds, including all trust funds and oversight agencies funds, are invested and that (excluding approved deferred compensation plans) all these investments are in securities as permitted by adopted city policy.

It is also certified that enough liquid resources (including maturities and anticipated revenues) are available to meet the next six months' cash flow.

Carolina Yuen
CITY TREASURER

CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
Comparative Review
February 28, 2025

NAME OF DEPOSITORY	INVESTMENT TYPE	FACE VALUE OF INVESTMENT	MARKET VALUE OF INVESTMENT	Previous Month FACE VALUE OF INVESTMENT	Previous Month Change in Face Value		Previous Year FACE VALUE OF INVESTMENT	Previous Year Change in Face Value	
WELLS FARGO	Checking A/C	$ 7,122,423	$ 7,122,423	$ 3,886,357	$ 3,236,066	83.3%	$ 3,857,650	$ 3,264,773	84.6%
STATE FUND (LAIF)	Deposit on call	$ 2,617,684	$ 2,617,684	$ 2,617,684	$ -	0.0%	$ 1,566,808	$ 1,050,876	67.1%
Other Investments									
Sub-total	BNY Mellon	$ 25,112,907	$25,063,167	$ 25,075,221	$ 37,686	0.2%	$ 25,064,471	$ 48,436	0.2%
Sub-total	Cash with Fiscal Agents	$ 8,035,130		$ 7,905,251	$ 129,879	1.6%	$ 11,333,420	$ (3,298,290)	(29.1%)
	Total other investments	$ 33,148,037		$ 32,980,472	$ 167,565		$ 36,397,891	$ (3,249,855)	
TOTAL INVESTMENTS & CASH BALANCES		**$ 42,888,143**	**$34,803,273**	**$ 39,484,512**	**$ 3,403,631**	8.6%	**$ 41,822,349**	**$ 1,065,794**	2.5%



February 2025 Review

The $3.2M increase in the February 2025 Wells Fargo balance includes a sales tax payment of $1.7M, a $1.9M developer payment and sale proceeds in the amount of $718K for property sold in the Crocker Park district.

As reflected on Page 1, the BNY Mellon subtotal includes $16M in federal agency bonds and $9M in a money market account. A $1M agency bond earning 5.34% originally due in Nov28 was called in February as expected due to its attractive rate -- the principal was transferred to the money market account earning slightly above 4%. The shift of the agency bond converting to the lower earning money market account combined with the increase in the a non-interest-earning WFB balance resulted in a decrease in the portfolio weighted interest compared to the prior month.

The City's Cash with Fiscal Agents February 2025 $8M balance is primarily comprised of $6.1M of the PARS trust accounts and $1.8M of the 2023 Bond proceeds held in trust, as reflected on Page 1. The February 2024 balance of the 2023 bond proceeds was $5.6M. Reimbursements to the City for Annex improvements began in the summer of 2024, resulting in a significant reduction in the bonds trust balance year-over-year.

File Attachments for Item:

F. Approve Construction Contract for “Pedestrian Walkway – Alvarado Street to San Benito Road” to Michael Glynn Construction Services, Inc. in the Amount of $376,535.00, and Authorize the Mayor to Sign the Agreement for the City

CITY COUNCIL AGENDA REPORT

Meeting Date: April 3, 2025

From: Karen Kinser, Deputy Director of Public Works

Subject: Award Construction Project: Pedestrian Walkway – Alvarado Street to San Benito Road

This work is categorically exempt from CEQA per CCR Title 14 §15301.

Purpose

Enhanced safety for pedestrians, including schoolchildren and the elderly in Brisbane.

Recommendation

Award the construction contract for Project No. 9I11 "Pedestrian Walkway – Alvarado Street to San Benito Road" to Michael Glynn Construction Services, Inc. in the amount of $376,535.00, and authorize the Mayor to sign the Agreement for the City.

Background

The city received five bids for this project on March 5, 2025:

ENGINEER'S ESTIMATE	$294,146.88
Michael Glynn Construction	$376,535.00
EE Gilbert Inc.	$455,328.00
Central Pacific Engineering	$564,900.00
Raposo Engineering	$647,807.90
CF Contracting Inc.	$768,000.00

Discussion:

Staff reviewed the apparent low bid and determined that the proposal was responsive, and the bidder was responsible. Impacts to pedestrians, cyclists, and the motoring public will be minimal during construction, which is expected to begin in late April 2025. The contractor will be required to always keep one lane of traffic open during construction.

The tree roots from adjoining private properties are interfering with the existing public utilities in this public right-of-way, and are also in the way of construction of the stairway. One of the two arborists who have reviewed the site conditions believes the trees will survive after root trimming. There is no imminent plan to remove the trees, and we have reserved funds to continue evaluating their health after the installation of the stairway.

Fiscal Impact

Construction Costs		Funding	
Mike Glynn Construction	$376,535	Transportation Development Act Article 3 grant	$240,000
Advance PG&E work	$48,973	Local Match (General Fund)	$60,000
Contingency	$69,400	Measure W	$198,908
TOTAL	$494,908	TOTAL	$494,908

Environmental Review

This work is categorically exempt from provisions of CEQA in that the proposal is to alter an existing facility without expanding existing uses (California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19, §15301 "Class 1 – Existing Facilities"). A Notice of Exemption was prepared for this work on July 8, 2024.

Karen Kinser, Deputy Director of Public Works

Randy Breault, Director of Public Works/City Engineer

Jeremy Dennis, City Manager

File Attachments for Item:

G. Approve Complete Streets Safety Committee Workplan for 2025

CITY COUNCIL AGENDA REPORT

Meeting Date: April 3, 2025

From: Karen Kinser, Deputy Director of Public Works

Subject: CSSC 2025 Work Plan

Community Goal/Result

Safe Community - Residents and visitors will experience a sense of safety

Community Building - Brisbane will honor the rich diversity of our city (residents, organizations, businesses) through community engagement and participation

Purpose

To review and approve the annual workplan for a Council-appointed citizen advisory committee

Recommendation

Adopt the Complete Streets Safety Committee's (CSSC) Work Plan for 2025

Background

On March 12, 2025, Council liaisons to CSSC, Mayor Pro Tempore Coleen Mackin and Council Member Frank Kern, met with CSSC representatives Chair Dariusz Wodziak and Vice Chair Emily Wirowek and staff.

Discussion

Council liaisons reviewed and gave their approval to the attached CSSC workplan for 2025.

Fiscal Impact

No fiscal impact.

Measure of Success

CSSC has a blueprint for their endeavors for 2025

Attachments

1. CSSC 2025 Work Plan

Karen Kinser, Deputy Director of Public Works

Randy Breault, Public Works Director

Jeremy Dennis, City Manager

Complete Streets Safety Committee

2025 Work Plan

1. Finalize investigation of potential for one-way streets - Mariposa and Monterey between Visitacion and Solano. (referred by Director of Public Works)

2. Review and recommend improvements to address speeding and overall traffic safety issues on Visitacion Ave. incorporating community feedback (due 90 days from 4/2/25 committee meeting)

3. Receive and comment on Baylands transportation circulation plans or other proposals referred by Director of Public Works or City Manager

4. Speeding, traffic calming measures, and general traffic issues on San Bruno Ave. in response to prior community concerns

5. Review feedback on Pilot Parking Program on Thomas Ave. before staff brings to Council

File Attachments for Item:

H. Approve Crocker Trail CEQA Study Award of Contract to RRM Design Group

(It is being recommended to award a contract in the amount of $175,800 to RRM Design Group to provide preliminary design and environmental compliance services for the improvement of the Crocker Trail.)

CITY COUNCIL AGENDA REPORT

Meeting Date: April 3, 2025

From: Noreen Leek, Parks & Recreation Director

Subject: Crocker Trail CEQA Study Award of Contract to RRM Design Group

Community Goal/Result
Ecological Sustainability, Safe Community, Community Building

Purpose
Develop the City's trail system while protecting environmentally sensitive areas, enhancing connectivity, incorporating art, and providing additional opportunities for recreation.

Recommendation
Award a contract in the amount of $175,800 to RRM Design Group to provide preliminary design and environmental compliance services for the improvement of the Crocker Trail.

Background
In 2021, the City Council adopted the Crocker Trail master plan. The purpose of the master plan was to bring to life the wants and needs of the community of Brisbane. Through implementing accessibility, safety and connectivity, ecological responsibility and education, recreational opportunities and the chance to support local artists, the Crocker Trail aims to improve the quality of life for all its visitors. The master plan addresses current planning issues and needs for restoration and safety along the trail and presents feasible solutions for its design and long-term operation and maintenance. The plan integrates both active and contemplative experiences for all Crocker Trail users, including the Industrial Park employees and local Brisbane residents.

Discussion
As the next step towards implementation of the Crocker Trail master plan, a California Environmental Quality Act (CEQA) study must be conducted to evaluate and mitigate any potential environmental impacts. The study will ensure that environmental impacts are compliant and carefully considered, mitigated where possible, and that the public and decision-makers have the information they need to make informed choices about the project. RRM has detailed the necessary scope of services and compensation required to move the project forward which has been included as Attachment 1. It is anticipated that the process will take approximately 9 months to complete.

Fiscal Impact
The total cost of the required basic services for this project is $175,800. The City Council authorized an allocation from the State and Local Fiscal Recovery Funds program (SLFR).

Once staff spoke with the consultant, there was a need to increase the budget for the project by $25,800, requiring additional funds. Staff determined that the remaining funds from the remaining from the sale of the 280 South Hill Property had been allocated for improvement to the Crocker Trail. This

project will therefore utilize those funds to cover its complete costs resulting in no impact to the general fund at this time.

Funds previously allocated to this project have reverted back to the General Fund as revenue replacement, which will reduce the FY 2024-25 budget deficit by the corresponding amount.

Attachments

1. RRM Scope of Services & Compensation Summary

Noreen Leek, Parks & Recreation Director

Jeremy Dennis, City Manager

File Attachments for Item:

I. Consider Introducing an Ordinance Approving a Zoning Text Amendment 2024-RZ-2, City-wide

(It is being recommended to introduce an Ordinance amending regulations within Title 17 of the Brisbane Municipal Code including the development standards for multifamily and mixed-use zoning districts and the exceptions to the lot size standards, consistent with California Senate Bill SB 478 (2021) and the 2023-2031 Housing Element; and to amend the reasonable accommodations exceptions consistent with the Housing Element; and finding that this amendment is exempt from environmental review under CEQA Guidelines Sections 15061(b)(3) and Section 15183; City of Brisbane, applicant.)

CITY COUNCIL AGENDA REPORT

Meeting Date: April 3, 2025

From: John Swiecki, Community Development Director

Subject: Zoning Text Amendment Application 2024-RZ-2 – zoning text amendment 2024-RZ-2 amending regulations within Title 17 of the Brisbane Municipal Code including the development standards for multifamily and mixed-use zoning districts and the exceptions to the lot size standards, consistent with California Senate Bill SB 478 (2021) and the 2023-2031 Housing Element; and to amend the reasonable accommodations exceptions consistent with the Housing Element; and finding that this amendment is exempt from environmental review under CEQA Guidelines Sections 15061(b)(3) and Section 15183; City of Brisbane, applicant.

SUPPLEMENTAL REPORT

BACKGROUND

This matter was continued from the City Council meeting of October 17, 2024. At that meeting, Council raised concerns about the broad proposed ordinance scope and content, especially those provisions related to permitting procedural changes, and continued the item. The ordinance now under consideration has been greatly reduced in scope from the October 2024 version. Specifically, the proposed amendment is limited to those revisions required to comply with the City's Housing Element and bring the City's ordinance into compliance with CA Senate Bill SB 478 (2021), "Housing Opportunity Act", as described further below and in Attachment A. All other proposed revisions from the October 2024 draft ordinance not driven by state law or housing element compliance have been removed from the proposed ordinance.

RECOMMENDATION

Introduce the ordinance amending the zoning text to modify the development provisions within the multifamily districts to comply with SB 478 and Housing Element Program 2.A.12 and the permitting provisions for reasonable accommodation for people with disabilities, as provided in Attachment A.

DISCUSSION

As indicated above, this item was continued from City's Council's October 17, 2024 meeting. The October 2024 draft ordinance was intended to address numerous issues falling into 3 basic categories, as follows:

a. Bringing the City's zoning ordinance into compliance with SB 478, codified as Government Code Section 65913.11, which requires cities to allow minimum floor area ratios (FARs) for housing development projects in the range of 3 to 10 units. This would

be accomplished by amending the development standards in the zoning districts that permit multifamily residential uses, including mixed use.

b. Implementing two provisions of the City's adopted Housing Element. The first is raising the building height maximums to 36 feet to more readily allow for 3 story buildings in the districts that permit multifamily development (Program 2.A.12). The affected districts are the R-2 and R-3 Residential Districts and the SCRO-1 and NCRO-2 mixed use districts. The PAOZ-1 and PAOZ-2 residential overlay districts are not affected since the height maximums already exceed 36 ft. The second Housing Element-related amendment addresses reasonable accommodations for those with disabilities in the height and setback exceptions to the district regulations, consistent with certain Housing Element goals, and a policy and program, as further described at the end of this report.

c. Incorporating procedural and organizational revisions to BMC Title 17 for consistency, efficiency and clarity. These included organizational updates, amendments to the procedures for setback and height exceptions, along with some specific updates to the exceptions, zoning administrator procedures and appeals.

As noted previously, the updated ordinance focuses on housing Element and state law compliance, and does not include items discussed above in section c. The draft ordinance is provided (Attachment A) and a redlined version, as compared to the current Brisbane Municipal Code (BMC), is also provided (Attachment B). The October 2024 ordinance and City Council report are also attached for reference (Attachment C), which includes those items discussed above in section c.

SB 478 Compliance: State Senate Bill SB 478 was adopted in 2021 and became effective statewide on January 1, 2022. Its focus is to provide greater opportunities for development of small apartment buildings in the range of 3 to 10 housing units in districts already zoned for multi-family development, by establishing minimum building floor area to lot size ratios, known as floor area ratios (FARs).

SB 478 is codified as Government Code Section 65913.11 and requires an FAR of 1.0 for projects between 3 and 7 units and an FAR of 1.25 for projects between 8 and 10 units. It also includes provisions that prohibits cities from imposing lot coverage limits that would prevent the multifamily development from achieving those FARs. State law further precludes denial of a development on a legal lot of record solely on the basis that the lot does not comply with the district's current lot size minimum.

The R-2 and R-3 residential zoning districts accommodate multifamily developments. Both districts have an FAR of 0.72 and therefore need to be amended to comply with state-mandated FARs Other districts that are zoned for multifamily residential or mixed use development (NCRO-2, SCRO-1, PAOZ-1 and PAOZ-2) do not have FAR limits and so the FARs do

not need to be amended, although cross references to state law have been added where necessary to ensure that lot coverage standards do not have the unintended consequence of restricting FAR to less than what is allowed by state law. Note that the provisions of SB 478 do not apply to the R-1 and R-BA Residential districts, since these are single family districts, nor do they apply to the Northeast Ridge as a PD planned development district.

In general, FAR as a development standard influences total permitted building area on a lot which has implications on overall bulk and mass. Theoretically a larger FAR will allow more building area on a given lot. For example, here are generalized development scenarios for a 10,000 square foot lot under various FARs:

FAR	0.50	1.0	1.5
Building Area	5,000 sq ft	10,000 sq ft	15,000 sq ft

FAR by itself does not control building size, or bulk and mass. Setbacks, height limits, lot coverage limits, and parking all influence a development's bulk and mass.

SB 478 regulates FAR based on the number of units within a project, which is a substantial departure from the City's approach, which applies development standards uniformly within a given zoning district, irrespective of the size of the project.

More specifically to the R-2 and R-3 zoning districts, staff has provided tables below showing theoretical buildout examples comparing:

1) Current zoning (noncompliant with SB 478)
2) SB 478 provisions
3) SB 478 compliance ordinance as recommended by the Planning Commission.

Note that these theoretical examples are worst-case and do not reflect the other development standards that may impact total building size.

There are 2 main differences between SB 478 and the Planning Commission recommended version of the draft ordinance. While the current R-2 and R-3 FAR is 0.72, the existing ordinance also includes a covered parking exemption for required parking up to 400 square feet per unit. For one- and two-bedroom units, as used in the examples, the covered parking requirement is 1 space per unit (200 square feet). This exemption effectively increases the FAR maximum to a range of 0.88 to 0.96 for the two districts for the current BMC examples. The Planning Commission recommended ordinance eliminates the covered parking exemption which offsets to some extent the implications of increasing FAR as required.

The Planning Commission also recommended a uniform FAR of 1.25 within the R-2 and R-3 zones for all multifamily developments of 3 or more units. This would be consistent with the City's regulatory approach as discussed above, which applies development standards uniformly within a given zoning district, not based on project size.

R-2 Residential District

Examples of Buildout Potential,
Number of Units and Total Floor Areas

Lot Size (sq ft)	Current BMC (FAR of 0.72, including covered parking exceptions)**		SB 478 Compliant (FAR of 1.0 for 3 to 7 units & 1.25 for 8 to 10 units; no change to existing parking exceptions)**		SB 478 Compliant - PC Recommended (FAR of 1.25 for 3 units or more; eliminating multifamily parking exceptions)***	
	Units	Floor Area (sq ft)	Units	Floor Area (sq ft)	Units	Floor Area (sq ft)
2,500	1	2,000	3*	3,100	3*	3,125
5,000	2	4,000	3*	5,600	3*	6,250
7,500	3	6,000	3	8,100	3	9,375
10,000	4	8,000	4	10,800	4	12,500
20,000	8	16,000	8	26,600	8	25,000

Notes:
*The R-2 Residential district density standard of 1 housing unit per 2,500 sq ft of land area, except that for SB 478 compliant examples any lot size on an established legal lot the City shall allow at least 3 units.
**For the purposes of calculation of the required parking area, 1 to 2 bedrooms are assumed (1 covered space per unit).
***SB 478 compliant examples do not include an exception for garage space, as is included in the Current BMC for residential development.

R-3 Residential District

Examples of Buildout Potential,
Number of Units and Total Floor Areas

Lot Size (sq ft)	Current BMC (FAR of 0.72, plus covered parking exceptions)**		SB 478 Compliant (FAR of 1.0 for 3 to 7 units & 1.25 for 8 to 10 units; no change to existing parking exceptions)**		SB 478 Compliant - PC Recommended (FAR of 1.25 for 3 units or more; eliminating multifamily parking exceptions)***	
	Units	Floor Area (sq ft)	Units	Floor Area (sq ft)	Units	Floor Area (sq ft)
2,500	1	2,000	3*	3,100	3*	3,125
5,000	3	4,200	3	5,600	3	6,250
7,500	5	6,400	5	8,500	5	9,375
10,000	6	8,400	6	11,200	6	12,500
12,000	8	10,240	8	16,600	8	15,000

Notes:
*The R-3 Residential district density standard is 1 housing unit per 1,500 sq ft of land area, except that for SB 478 compliant examples any lot size on an established legal lot the City shall allow at least 3 units.
**For the purposes of calculation of the required parking area, 1 to 2 bedrooms are assumed (1 covered space per unit).
***SB 478 compliant PC recommended examples do not include an exception for garage space, as is included in the Current BMC for residential development.

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As indicated above, SB 478 also includes a provision which prohibits a city from denying a housing development project of at least 3 units on a legally established lot that does not meet the City's current standards for lot area. The current standard for lot area in both the R-2 and R-3 districts is 5,000 sq ft (50 ft by 100 feet); however, through the City's original 1906 subdivision map there were many lots that were established as small as 2,500 sq ft and are recognized as legal lots. While the City has recognized these existing smaller lots as conforming for a single-family dwelling, by state law they must now be permitted to be developed with at least 3 units. In effect, while the density of development does not change on larger lots, by state law it does change for small lots that would not normally meet the size minimum for 3 units.

Housing Element Programs: The amendment to the permitted height to 36 feet in the R-2, R-3, NCRO-2 and SCRO-1 would specifically address Program 2.A.12. The PAOZ-1 and PAOZ-2 limits already exceed 36 feet and so those height limits would not be amended. The Planning Commission originally recommended the 36-foot height limit be extended to the R-BA and R-1 zones as well, for consistency and equity reasons. However, this is not required for Housing Element compliance and the height amendment to the R-BA and R-1 has been deleted from the ordinance now proposed for consideration.

Also, the Planning Commission's recommendation for amendment to the reasonable accommodation provisions is aimed at accommodating people with existing disabilities and allowing for aging in place, consistent with the following Housing Element goals, policy and program.

- Goal 4: Protect residents from displacement.
- Goal 7: Avoid unreasonable government constraints to the provision of housing.
    - Policy 7.A: Improve the development review and approval process.
        - Program 7.A.3: Continue to allow ministerial approval by the Community Development Director, subject to a minimal fee, of exceptions to the Zoning Ordinance for reasonable accommodation for housing for persons with disabilities per Government Code Section 65583(c)(3).

The program indicates that the City will continue to allow ministerial approval of reasonable accommodation applications. However, Brisbane's process requires a Zoning Administrator public hearing, as a discretionary act. Also, the Government Code section cited in the program specifically calls for removing governmental constraints to the provision of housing for those with disabilities.

The amendment would allow for ministerial approval of reasonable accommodation features, via building permit, where reasonable accommodation could not otherwise be met through the development regulations or other exceptions. These may include, but is not limited to, such things as a wheelchair ramp in the setback or an elevator over the district's height limit. Also, these features may be permitted and then installed prospectively, before the accessibility

feature is needed for a specific person, with the aim of allowing for people to age in place or for easing the burden and process for those who may already have an accessibility need. Currently, reasonable accommodation permits are specific to a particular person's existing need and subject to zoning administrator approval following a public hearing.

Lot Size Exceptions: Finally, Brisbane Municipal Code Section 17.32.055 contains exceptions to lot size requirements. The section is proposed to be updated for consistency with SB 478 provisions regarding lot sizes contained in Government Code Section 65913.11. Also, at the City Council's meeting in October, questions were raised about the meaning of existing provisions regarding lots of less than 5,000 sq ft, which pertains to the R-1, R-2 and R-3 Residential districts, and that has been edited for clarity. A cross reference to urban lot split provisions in the recently adopted BMC Chapter 17.05 has also been added.

John Swiecki, Community Development Director

Jeremy Dennis, City Manager

Attachments:

A. Draft Ordinance 2024-RZ-2
B. Redlined Draft Ordinance 2024-RZ-2
C. October 17, 2024 agenda report (weblink): MEET-Packet-0f01a523d0d74ef893c17a083daadd3e.pdf and
D. October 17, 2024 minutes (weblink): 43171

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ATTACHMENT A
Draft Ordinance
(Zoning Text Amendment 2024-RZ-2)

DRAFT ORDINANCE NO.___
AN ORDINANCE OF THE CITY OF BRISBANE
AMENDING BRISBANE MUNICIPAL CODE TITLE 17 – TO AMEND THE DEVELOPMENT STANDARDS FOR MULTIFAMILY AND MIXED USE ZONING DISTRICTS AND TO AMEND THE EXCEPTIONS TO LOT STANDARDS, CONSISTENT WITH CALIFORNIA SENATE BILL SB 478 ("HOUSING OPPORTUNITY ACT"), AND THE 2023-2031 HOUSING ELEMENT; AND TO AMEND THE REASONABLE ACCOMMODATION EXCEPTIONS CONSISTENT WITH THE HOUSING ELEMENT.

SECTION 1: Section 17.08.040. - Development Regulations, 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 subsection B. of this Section 17.08.040.

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.

3. Notwithstanding the minimum lot area in paragraph 1 of this subsection A, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area in paragraph 1.

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, and further provided that pursuant to State law, a housing development project of three (3) units proposed on an existing legal lot of record shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area for each dwelling unit.

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

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, 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. Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

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. Notwithstanding the foregoing, the minimum side setback for garages, or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

3. Rear setback: Ten (10) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be fifty percent (50%); except that, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units, if exceeding the maximum coverage is required to allow for development up to the floor area ratio maximum, as that ratio is determined by the building official; in such instance, no variance shall be required in order for the lot to exceed the maximum coverage.

F. Floor Area Ratio. The maximum floor area ratio for all buildings on a lot shall be as follows:

1. Single family dwellings, duplexes and two-unit dwelling groups shall have a maximum floor area ratio of 0.72, with the following exceptions:

a. 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.

b. In the case of duplexes and two-unit dwelling groups, 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.

2. Multiple-family development of three (3) or more units shall have a maximum floor area ratio of 1.25.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G. and in Section 17.32.060, the maximum height of any structure shall be thirty-six (36) feet.

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. On a downslope lot, a garage or carport in compliance with this subsection may exceed a height of thirty-six (36) feet, and the height of any permitted living area underneath the garage or carport shall not exceed thirty-six (36) 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. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

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 (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. This requirement shall also apply to such existing developments for which building permit applications are submitted within a twelve-month period collectively adding thirty percent (30%) or more to the existing floor area of the development project.

*****

SECTION 2: Section 17.10.040 - Development Regulations, of Chapter 17.10 - R-3 Residential District, is amended to read as follows:

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.

3. Notwithstanding the minimum lot area in paragraph 1 of this subsection A, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area in paragraph 1.

B. Density of Development. The minimum lot area for each dwelling unit on the site shall be one thousand five hundred (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, and further provided that pursuant to State law, a housing development project of three (3) units proposed on an existing legal lot of record shall not be denied solely on the basis that the lot area of that existing lot does not meet the minimum lot area for each dwelling unit.

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

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, 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. Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

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. Notwithstanding the foregoing, the minimum side setback for garages, or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

3. Rear setback: Ten (10) feet.

4. Garage setback: Eighteen (18) feet, with the following exceptions:

a. If paragraph 1.a or 1.b of this subsection D applies, then the garage shall be setback three (3) feet behind the front wall of the main structure.

b. If the garage setback exemptions set forth in Section 17.32.070.A.3.a of this Title apply, the regulations of that section shall prevail.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%); except that, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units, if exceeding the maximum coverage is required to allow for development up to the maximum floor area ratio, as that ratio is determined by the building official; in such instance, no variance shall be required.

F. Floor Area Ratio. The maximum floor area ratio for all buildings on a lot shall be as follows:

1. Single family dwellings, duplexes and two-unit dwelling groups shall have a maximum floor area ratio of 0.72, with the following exceptions:

a. 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.

b. In the case of duplexes and two-unit dwelling groups, 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.

2. Multiple-family development of three (3) or more units shall have a maximum floor area ratio of 1.25.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G and in Section 17.32.060, the maximum height of any structure shall be thirty-six (36) feet.

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. On a downslope lot, a garage or carport in compliance with this subsection may exceed a height of thirty-six (36) feet, but the height of any permitted living area underneath the garage or carport shall not exceed thirty-six (36) 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. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

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. Refuse and Recycling Area Requirements.

1. So as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare, areas for depositing, collecting and loading refuse and recyclable materials shall be provided and fully enclosed within an enclosure a minimum of six (6) feet tall. All receptacles for collection and recycling shall be completely screened from view at street level. All enclosures and gates shall be designed to withstand heavy use. Wheel stops or curbs shall be provided to prevent dumpsters from banging into walls of enclosure. 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. Lighting shall be provided at all enclosures for nighttime security and use. Lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences. 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 (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. This requirement shall also apply to such existing developments for which building permit applications are submitted within a twelve-month period collectively adding thirty percent (30%) or more to the existing floor area of the development project.

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SECTION 3: Section 17.14.060 - Development Regulations for the NCRO-2 District, of Chapter 17.14 - NCRO Neighborhood Commercial District NCRO-1 Brisbane Village NCRO-2 Downtown Brisbane, is amended to read as follows:

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; provided however, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area.

B. Lot Dimensions. The minimum dimensions of any newly established lot in the NCRO-2 district shall be as follows:

Width	Depth
25 feet	No requirement

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, except as provided in Section 17.32.070, 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 on the side setback where 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-2 district shall be ninety percent (90%) except that, pursuant to State law, the maximum lot coverage maximum shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

F. Height of Structures. The maximum height of any structure, except as provided in Section 17.32.060, shall be thirty-six (36) feet.

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 title, 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 passive open space may be provided as individual patios or decks, or as common patio or garden area, or any combination thereof. Notwithstanding that an attached or detached accessory dwelling unit greater than eight hundred (800) square feet is added to an existing residential use, there shall be no reduction in the amount of required usable passive open space for the other residential use. If an existing residential use has passive open space that does not conform to the sixty (60) square feet per unit requirement, the addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet to that use shall not further reduce the amount of passive open space. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) feet or less may result in a loss of the required usable passive open space for the other residential uses, including the loss of non-forming passive open space.

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 (5) 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 twelve-month period collectively adding thirty percent (30%) 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 twelve-month period collectively adding thirty percent (30%) 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 4: Section 17.16.040 - Development Regulations, of Chapter 17.16 - SCRO-1 Southwest Bayshore Commercial District, is amended to read as follows:

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; provided however, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area.

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 and dwelling groups: 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.

5. Notwithstanding the minimum lot areas per dwelling unit in paragraphs 3 and 4 of this subsection B, pursuant to State law, a housing development project of three units on an existing legal lot of record shall not be denied solely on the basis that the lot area of that existing lot does not meet the minimum lot area per dwelling unit in paragraphs 3 and 4.

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

Width	Depth
50 feet	No requirement

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, shall be as follows:

1. Front setback:

a. Residential/Mixed Use: Ten (10) feet;

b. Commercial Uses: Twenty-five (25) feet for commercial uses;

c. Exception: The setbacks may be reduced to zero (0) where development includes dedication to public right-of-way for a frontage access road and sidewalk, to the satisfaction of the city engineer and fire department.

2. Side setback:

a. Residential/Mixed Use: Five (5) feet;

b. Commercial Uses: Fifteen (15) feet;

c. Exception: The planning commission may approve exceptions to the side setback regulations for commercial uses through the granting of a use permit.

3. Rear setback: Ten (10) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be seventy percent (70%); provided, however, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

F. Height of Structures. The maximum height of any structure, except as provided in Section 17.32.060, shall be thirty-six (36) feet.

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 district 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 district.

H. Open Space. Usable open space shall be provided for residential uses of at least sixty (60) square feet per unit. Such open space shall not be less than five (5) feet in any dimension and may be provided as individual patios or decks, or as common patio or garden area, or any combination thereof.

Notwithstanding that an attached or detached accessory dwelling unit greater than eight hundred (800) square feet is added to an existing residential use, there shall be no reduction in the amount of required usable open space for the other residential use. If an existing residential use has open space that does not conform to the sixty (60) square feet per unit requirement, the addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet to that use shall not further reduce the amount of open space. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) feet or less may result in a loss of the required usable open space for the other residential uses, including the loss of non-conforming open space.

I. Landscaping Requirements.

1. Not less than ten percent (10%) of the lot area shall be improved with landscaping. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required landscape area. The addition of an attached

or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required landscape area.

2. Plant materials shall be drought resistant and non-invasive as required by the planning director.

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;

b. Use of water conserving plants; and

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

4. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

J. 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 H.1. and H.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.

K. Refuse and Recycling Area Requirements.

1. So as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare, areas for depositing, collecting and loading refuse and recyclable materials shall be provided and fully enclosed within an enclosure a minimum of six (6) feet tall. All receptacles for collection and recycling shall be completely screened from view at street level. All enclosures and gates should be detailed to withstand heavy use. Wheel stops or curbs shall be provided to prevent dumpsters from banging into walls of enclosure. 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. Lighting shall be provided at enclosures for nighttime security and use. Lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences. 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 (5) 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 twelve-month period collectively adding thirty percent (30%) 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 twelve-month period collectively adding thirty percent (30%) 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.

L. Emergency Shelters. Development standards for emergency shelters shall be the same as for residential development in the district, except density of development regulations, and emergency shelters that meet the following requirements are exempt from the requirement of a design permit and use permit:

1. No emergency shelter shall be allowed to be located within three hundred (300) feet of another emergency shelter.

2. The required setbacks for new development shall be:

a. Front setback: Ten (10) feet; except that the front setback may be reduced to zero (0) where development includes dedication to public right-of-way for a frontage access road and sidewalk, to the satisfaction of the city engineer and fire department.

b. Side setback: Five (5) feet; except that the planning commission may approve exceptions to the side setback regulations through the granting of a use permit.

c. Rear setback: Ten (10) feet.

3. A maximum of twelve (12) persons (twelve (12) beds) to be served nightly.

4. Each resident shall be provided personal living space.

5. Bathrooms and bathing facilities shall be provided, adequate for the number of residents.

6. Laundry facilities or services shall be provided on site, adequate for the number of residents.

7. The length of stay for individual clients shall not exceed six (6) months, or as allowed by state law.

8. Staff and services shall be provided to assist residents to obtain permanent shelter and income.

9. For security, the facility shall provide outdoor lighting of common areas, entries, parking areas, pathways, in compliance with Section 17.16.050.E.

10. For security, the shelter shall be adequately staffed twenty-four (24) hours a day, seven (7) days a week.

11. Parking shall be as specified in Chapter 17.34.

12. Outdoor activities, such as recreation, eating, and staging for drop-off, intake, and pick-up, may be conducted at the facility, between the hours of five (5:00) a.m. and ten (10:00) p.m. A night operations use permit is required for outdoor activities between the hours of ten (10:00) p.m. and five (5:00) a.m., as provided for in Section 17.16.070.

13. The facility may provide the following:

a. Kitchen facilities;

b. Dining area;

c. Recreation room;

d. Training and counseling support services;

e. Child care facilities;

f. Other facilities or services that are accessory to an emergency shelter.

14. Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be provided to the planning director. The management plan must include provisions for staff training, resident identification process, neighborhood outreach, policies regarding pets, the timing and placement of outdoor activities, provisions for residents' meals (including special dietary needs), medical care, mental health care, dental care, temporary storage of residents' personal belongings, safety and security, provisions in case of area-wide emergencies, screening of residents to ensure compatibility with services provided at the facility, plans to help secure other provisions for those who may not be part of the shelter's target population, computer access for residents, and training, counseling and social service programs for residents, as applicable.

M. Mobile Home Parks.

1. Mobile home parks in the SCRO-1 district shall be subject to the development and parking standards established in Chapter 17.11 of this title.

2. Conversion, closure, or cessation of a mobile home park in the SCRO-1 district shall be subject to the procedures established in Section 17.11.090 of this title.

*****

SECTION 5: Section 17.27.050 - Development Regulations for the POAZ-2 District, of Chapter 17.27 - POAZ Parkside Overlay District, is amended to read as follows:

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

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

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

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

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

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

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

2. Side: Five (5) feet minimum.

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

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

4. Rear: Fifteen (15) feet minimum.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%); provided, however, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

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

G. Height.

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

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

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

of the Parkside Precise Plan. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required landscaping area. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required landscape area.

I. Open Area Requirements. At least one hundred (100) square feet of open area per dwelling unit shall be provided. The open area may be met through a combination of common or private open areas provided on-site. Open areas shall be usable and shall support residents' passive and/or active use. The computation of open areas may include amenities and structures designed to enhance usability, such as swimming pools, rooftop gardens or decks, fountains, planters, benches, and usable landscaping. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required open areas. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required open area.

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

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

L. Parking. Required on-site parking and additional guest parking shall be as established in Section 17.34.020 of this title for multiple-family developments and accessory dwelling units.

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

2. Short-term and long-term parking for bicycles in the PAOZ-2 district shall be provided as follows: Long-Term: 1/10 units; Short-Term: 1/20 units. Bicycle parking design shall conform to the standards established in Section 3.4 of the Parkside Precise Plan.

M. Recycling Area Requirements.

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

2. These requirements shall apply to all new residential buildings having five (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. These

requirements shall also apply to existing development project for which building permit applications are submitted within a twelve-month period that collectively add thirty percent (30%) or more to the existing floor area of the development project.

*****

SECTION 6: Section 17.32.055 - Exceptions—Lot area, lot dimensions and lot lines, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

A. Limitations on Substandard Lots.

1. R-1, R-2 and R-3 Districts:

    a. A substandard lot of record, less than five thousand (5,000) square feet in area, shall be considered conforming for a single-family dwelling, if the lot was not owned in common with contiguous property in the same district on October 27, 1969.

    b. A property in the R-1 Residential District consisting of four (4) contiguous lots of record totaling at least nine thousand six hundred fifty (9,650) square feet that were owned in common on October 27, 1969, may be developed as two (2) sites, each consisting of one pair of contiguous lots.

    c. Contiguous substandard lots owned in common may be subject to merger in compliance with this section and Chapter 16.12.

2. Districts where multifamily or mixed-use development is permitted: A legal lot of record that does not meet the District minimum lot size may be developed as a housing development project as provided in the applicable District regulations and Government Code Section 65913.11.

3. All Districts:
    a. In any District, a substandard lot may be developed under the exceptions provided in the applicable District regulations.

    b. Any substandard lot created through a parcel map, resubdivision or lot line adjustment approved by the city after October 27, 1969, shall be recognized as a standard lot.

B. Urban Lot Split. A lot may be created and developed in the R-1 and R-BA districts that does not conform to the District lot area and dimension requirements, subject to the requirements of the Two-unit Development Residential Overlay District, as set forth in Chapter 17.05.

C. Modification in Conjunction with Application for Tentative Map. The planning commission may approve an application for a modification to the lot dimension regulations set forth in Title 17, Zoning, for real property located in any subdivision proposed in compliance with Title 16, Subdivisions, subject to the following findings:

1. The property is of such size or shape, or is subject to such title limitations of record, or is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider to fully conform to the regulations;

2. Each lot or parcel subject to the modification will be capable of being developed in accordance with the other applicable provisions of the zoning ordinance; and

3. The modification conforms with the spirit and purpose of this title.

C. Lot Line Adjustment. In compliance with the procedures set forth in Chapter 16.32 of Title 16, Subdivisions, the planning director may approve a lot line adjustment that will not increase the degree of noncompliance or otherwise increase the discrepancy between existing conditions and the requirements of the Zoning Ordinance, even though the resulting parcels may not fully comply with the development regulations of the applicable zoning district.

D. Elimination of Interior Lot Lines. A property owner may eliminate an interior lot line between record lots in common ownership through recordation of a declaration of merger signed by the property owner and acknowledged by the community development director.

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SECTION 7: Section 17.32.060 - Exceptions – Height Limit, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

(Subsections A, B and C, no change.)

D. Exceptions to the height limit to accommodate accessibility improvements (such as elevators) may be permitted pursuant to Section 17.32.080 of this Chapter.

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SECTION 8: Section 17.32.070 - Exceptions – Setback requirements, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

(Subsections A.1.a, A.1.b, A.1.c, A.1.d and A.1.e, no change.)

A.1.f. Accessibility Improvements (such as ramps). Exceptions to the setbacks to accommodate accessibility Improvements may be permitted pursuant to Section 17.32.080 of this Chapter.

(Subsections A.2, A.3 and A.4, no change.)

(Subsections B and C, no change.)

*****

SECTION 9: Section 17.32.080 - Requests for reasonable accommodations, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

Modifications or exceptions to the regulations set forth in Title 17 that are not otherwise addressed may be granted as reasonable accommodations for residential and non-residential improvements, or for new development, when designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Such requests shall be granted by the planning director through a building permit, if the building permit application demonstrated that:

A. The exception is necessary for current or future accessibility to the property or building by persons with disabilities and such accessibility cannot be addressed within either the applicable zoning district height limits or setbacks, or through other exceptions provided in this Title.

B. The accessibility improvement(s) will be constructed in compliance with all applicable provisions of the state and local building and fire codes concerning accessibility for persons with disabilities.

*****

SECTION 10: 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 11: This Ordinance shall be in full force and effect thirty days after its passage and adoption.

_____
Cliff Lentz, Mayor

* * *

The above and foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Brisbane held on the _____ day of _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT B
Redlined Draft Ordinance
(Zoning Text Amendment 2024-RZ-2)

SECTION 1: Section 17.08.040. - Development Regulations, 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 subsection B. of this Section 17.08.040.

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.

3. Notwithstanding the minimum lot area in paragraph 1 of this subsection A, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area in paragraph 1.

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, and further provided that pursuant to State law, a housing development project of three units proposed on an existing legal lot of record shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area for each dwelling unit.

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

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, 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. Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

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. Notwithstanding the foregoing, the minimum side setback for garages, or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

3. Rear setback: Ten (10) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be fifty percent (50%); except that, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units, if exceeding the maximum coverage is required to allow for development up to the floor area ratio maximum, as that ratio is determined by the building official; in such instance, no variance shall be required in order for the lot to exceed the maximum coverage.

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

1. Single family dwellings, duplexes and two-unit dwelling groups shall have a maximum floor area ratio of 0.72, with the following exceptions:

   a. 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.

   b. In the case of duplexes and two-unit dwelling groups ~~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.

2. Multiple-family development of three (3) or more units shall have a maximum floor area ratio of 1.25.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G. and in Section 17.32.060, the maximum height of any structure shall be ~~as follows:~~ thirty-six (36) feet.

~~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 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. On a downslope lot, a ~~A~~ garage or carport in compliance with this subsection may exceed a height of thirty-six (~~30~~ 36) feet, ~~but~~ and the height of any permitted living area underneath the garage or carport shall not exceed thirty-six (~~30~~ 36) 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. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

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 (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. This requirement shall also apply to such existing developments for which building permit applications are submitted within a twelve-month period collectively adding thirty percent (30%) or more to the existing floor area of the development project.

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SECTION 2: Section 17.10.040 - Development Regulations, of Chapter 17.10 - R-3 Residential District, is amended to read as follows:

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.

3. Notwithstanding the minimum lot area in paragraph 1 of this subsection A, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area in paragraph 1.

B. Density of Development. The minimum lot area for each dwelling unit on the site shall be one thousand five hundred (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, and further provided that pursuant to State law a housing development project of three (3) units proposed on an existing legal lot of record shall not be denied solely on the basis that the lot area of that existing lot does not meet the minimum lot area for each dwelling unit.

C. Lot Dimensions. The minimum dimensions ~~of f~~or any new lot shall be as follows:

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, 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. Notwithstanding the foregoing, the minimum front setback for garages or carports shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

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. Notwithstanding the foregoing, the minimum side setback for garages, or carports accessed from a street or alley along that side of the lot shall be ten (10) feet, except where a lesser distance is determined by the city engineer to be safe in terms of pedestrian and vehicular traffic.

3. Rear setback: Ten (10) feet.

4. Garage setback: Eighteen (18) feet, with the following exceptions:

a. If paragraph 1.a or 1.b of this subsection D applies, then the garage shall be setback three (3) feet behind the front wall of the main structure.

b. If the garage setback exemptions set forth in Section 17.32.070.A.3.a of this Title apply, the regulations of that section shall prevail.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%); except that, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units, if exceeding the maximum coverage is required to allow for development up to the maximum floor area ratio , as that ratio is determined by the building official; in such instance, no variance shall be required.

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

1. Single family dwellings, duplexes and two-unit dwelling groups shall have a maximum floor area ratio of 0.72, with the following exceptions:

a. 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.

b. In the case of duplexes and two-unit dwelling groups ~~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.

2. Multiple-family development of three (3) or more units shall have a maximum floor area ratio of 1.25.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G and in Section 17.32.060, the maximum height of any structure shall be ~~as follows:~~ thirty-six (36) feet.

~~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 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. On a downslope lot, a garage or carport in compliance with this subsection may exceed a height of thirty-six (~~30~~ 36) feet, but the height of any permitted living area underneath the garage or carport shall not exceed thirty-six (~~30)~~ 36) 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. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

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. Refuse and Recycling Area Requirements.

1. So as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare, areas for depositing, collecting and loading refuse and recyclable materials shall be provided and fully enclosed within an enclosure a minimum of six (6) feet tall. All receptacles for collection and recycling shall be completely screened from view at street level. All enclosures and gates shall be designed to withstand heavy use. Wheel stops or curbs shall be provided to prevent dumpsters from banging into walls of enclosure. 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. Lighting shall be provided at all enclosures for nighttime security and use. Lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences. 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 (5) or more living units, institutional buildings and city facilities (including buildings, structures, and outdoor recreation areas owned by the city) where solid waste is collected and loaded. This requirement shall also apply to such existing developments for which building permit applications are submitted within a twelve-month period collectively adding thirty percent (30%) or more to the existing floor area of the development project.

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SECTION 3: Section 17.14.060 - Development Regulations for the NCRO-2 District, of Chapter 17.14 - NCRO Neighborhood Commercial District NCRO-1 Brisbane Village NCRO-2 Downtown Brisbane, is amended to read as follows:

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; provided however, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area.

B. Lot Dimensions. The minimum dimensions of any newly established lot in the NCRO-2 district shall be as follows:

Width	Depth
25 feet	No requirement

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, except as provided in Section 17.32.070, 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 on the side setback where 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-2 district shall be ninety percent (90%) except that, pursuant to State law, the maximum lot coverage maximum shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

F. Height of Structures. The maximum height of any structure, except as provided in Section 17.32.060, shall be thirty-six (36) feet ~~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 title, 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 passive open space may be provided as individual patios or decks, or as common patio or garden area, or any combination thereof. Notwithstanding that an attached or detached accessory dwelling unit greater than eight hundred (800) square feet is added to an existing residential use, there shall be no reduction in the amount of required usable passive open space for the other residential use. If an existing residential use has passive open space that does not conform to the sixty (60) square feet per unit requirement, the addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet to that use shall not further reduce the amount of passive open space. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) feet or less may result in a loss of the required usable passive open space for the other residential uses, including the loss of non-forming passive open space.

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 (5) 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 twelve-month period collectively adding thirty percent (30%) 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 twelve-month period collectively adding thirty percent (30%) 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.

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SECTION 4: Section 17.16.040 - Development Regulations, of Chapter 17.16 - SCRO-1 Southwest Bayshore Commercial District, is amended to read as follows:

Development regulations in the Southwest Bayshore district are as follows:

A. Lot Area.

1. The minimum area of any lot shall be seven thousand five hundred (7,500) feet; provided however, pursuant to State law, a housing development project of three (3) units, proposed on an existing legal lot of record, shall not be denied solely on the basis that the lot area of that lot does not meet the minimum lot area.

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 and dwelling groups: 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.

5. Notwithstanding the minimum lot areas per dwelling unit in paragraphs 3 and 4 of this subsection B, pursuant to State law, a housing development project of three units on an existing legal lot of record shall not be denied solely on the basis that the lot area of that existing lot does not meet the minimum lot area per dwelling unit in paragraphs 3 and 4.

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

Width	Depth
50 feet	No requirement

D. Setbacks. The minimum required setbacks for any lot, except as provided in Section 17.32.070, shall be as follows:

1. Front setback:

a. Residential/Mixed Use: Ten (10) feet;

b. Commercial Uses: Twenty-five (25) feet for commercial uses;

c. Exception: The setbacks may be reduced to zero (0) where development includes dedication to public right-of-way for a frontage access road and sidewalk, to the satisfaction of the city engineer and fire department.

2. Side setback:

a. Residential/Mixed Use: Five (5) feet;

b. Commercial Uses: Fifteen (15) feet;

c. Exception: The planning commission may approve exceptions to the side setback regulations for commercial uses through the granting of a use permit.

3. Rear setback: Ten (10) feet.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be seventy percent (70%); provided, however, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

F. Height of Structures. The maximum height of any structure, except as provided in Section 17.32.060, shall be ~~thirty-five (35)~~ thirty-six (36) feet.

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 district 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 district.

H. Open Space. Usable open space shall be provided for residential uses of at least sixty (60) square feet per unit. Such open space shall not be less than five (5) feet in any dimension and may be provided as individual patios or decks, or as common patio or garden area, or any combination thereof.

Notwithstanding that an attached or detached accessory dwelling unit greater than eight hundred (800) square feet is added to an existing residential use, there shall be no reduction in the amount of required usable open space for the other residential use. If an existing residential use has open space that does not conform to the sixty (60) square feet per unit requirement, the addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet to that use shall not further reduce the amount of open space. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) feet or less may result in a loss of the required usable open space for the other residential uses, including the loss of non-conforming open space.

I. Landscaping Requirements.

1. Not less than ten percent (10%) of the lot area shall be improved with landscaping. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required landscape area. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required landscape area.

2. Plant materials shall be drought resistant and non-invasive as required by the planning director.

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;

b. Use of water conserving plants; and

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

4. Irrigated Landscapes. New and rehabilitated, irrigated landscapes are subject to the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water.

J. 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 H.1. and H.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.

K. Refuse and Recycling Area Requirements.

1. So as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare, areas for depositing, collecting and loading refuse and recyclable materials shall be provided and fully enclosed within an enclosure a minimum of six (6) feet tall. All receptacles for collection and recycling shall be completely screened from view at street level. All enclosures and gates should be detailed to withstand heavy use. Wheel stops or curbs shall be provided to prevent dumpsters from banging into walls of enclosure. 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. Lighting shall be provided at enclosures for nighttime security and use. Lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences. 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 (5) 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 twelve-month period collectively adding thirty percent (30%) 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 twelve-month period collectively adding thirty percent (30%) 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.

L. Emergency Shelters. Development standards for emergency shelters shall be the same as for residential development in the district, except density of development regulations, and emergency shelters that meet the following requirements are exempt from the requirement of a design permit and use permit:

1. No emergency shelter shall be allowed to be located within three hundred (300) feet of another emergency shelter.

2. The required setbacks for new development shall be:

a. Front setback: Ten (10) feet; except that the front setback may be reduced to zero (0) where development includes dedication to public right-of-way for a frontage access road and sidewalk, to the satisfaction of the city engineer and fire department.

b. Side setback: Five (5) feet; except that the planning commission may approve exceptions to the side setback regulations through the granting of a use permit.

c. Rear setback: Ten (10) feet.

3. A maximum of twelve (12) persons (twelve (12) beds) to be served nightly.

4. Each resident shall be provided personal living space.

5. Bathrooms and bathing facilities shall be provided, adequate for the number of residents.

6. Laundry facilities or services shall be provided on site, adequate for the number of residents.

7. The length of stay for individual clients shall not exceed six (6) months, or as allowed by state law.

8. Staff and services shall be provided to assist residents to obtain permanent shelter and income.

9. For security, the facility shall provide outdoor lighting of common areas, entries, parking areas, pathways, in compliance with Section 17.16.050.E.

10. For security, the shelter shall be adequately staffed twenty-four (24) hours a day, seven (7) days a week.

11. Parking shall be as specified in Chapter 17.34.

12. Outdoor activities, such as recreation, eating, and staging for drop-off, intake, and pick-up, may be conducted at the facility, between the hours of five (5:00) a.m. and ten (10:00) p.m. A night operations use permit is required for outdoor activities between the hours of ten (10:00) p.m. and five (5:00) a.m., as provided for in Section 17.16.070.

13. The facility may provide the following:

a. Kitchen facilities;

b. Dining area;

c. Recreation room;

d. Training and counseling support services;

e. Child care facilities;

f. Other facilities or services that are accessory to an emergency shelter.

14. Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be provided to the planning director. The management plan must include provisions for staff training, resident identification process, neighborhood outreach, policies regarding pets, the timing and placement of outdoor activities, provisions for residents' meals (including special dietary needs), medical care, mental health care, dental care, temporary storage of residents' personal belongings, safety and security, provisions in case of area-wide emergencies, screening of residents to ensure compatibility with services provided at the facility, plans to help secure other provisions for those who may not be part of the shelter's target population, computer access for residents, and training, counseling and social service programs for residents, as applicable.

M. Mobile Home Parks.

1. Mobile home parks in the SCRO-1 district shall be subject to the development and parking standards established in Chapter 17.11 of this title.

2. Conversion, closure, or cessation of a mobile home park in the SCRO-1 district shall be subject to the procedures established in Section 17.11.090 of this title.

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SECTION 5: Section 17.27.050 - Development Regulations for the POAZ-2 District, of Chapter 17.27 - POAZ Parkside Overlay District, is amended to read as follows:

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

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

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

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

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

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

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

2. Side: Five (5) feet minimum.

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

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

4. Rear: Fifteen (15) feet minimum.

E. Lot Coverage. The maximum coverage by all structures on any lot shall be sixty percent (60%); provided, however, pursuant to State law, the maximum lot coverage shall not preclude a housing development project of at least three (3) units but not more than ten (10) units that otherwise meets the requirements of this Chapter and Government Code Section 65913.11, as such requirements are determined by the building official; in such instance, no variance shall be required.

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

G. Height.

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

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

H. Landscaping Requirements. Not less than twenty percent (20%) of the lot area shall be landscaped. New and rehabilitated, irrigated landscapes are subject to the provisions of the water conservation in landscaping ordinance (refer to Chapter 15.70) or the latest state provisions, whichever is more effective in conserving water. Landscaping shall conform to the

development standards established in Section 3.5 of the Parkside Precise Plan. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required landscaping area. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required landscape area.

I. Open Area Requirements. At least one hundred (100) square feet of open area per dwelling unit shall be provided. The open area may be met through a combination of common or private open areas provided on-site. Open areas shall be usable and shall support residents' passive and/or active use. The computation of open areas may include amenities and structures designed to enhance usability, such as swimming pools, rooftop gardens or decks, fountains, planters, benches, and usable landscaping. The addition of an attached or detached accessory dwelling unit greater than eight hundred (800) square feet shall not result in a loss of the required open areas. The addition of an attached or detached accessory dwelling unit that is eight hundred (800) square feet or less may result in a loss of the required open area.

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

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

L. Parking. Required on-site parking and additional guest parking shall be as established in Section 17.34.020 of this title for multiple-family developments and accessory dwelling units.

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

2. Short-term and long-term parking for bicycles in the PAOZ-2 district shall be provided as follows: Long-Term: 1/10 units; Short-Term: 1/20 units. Bicycle parking design shall conform to the standards established in Section 3.4 of the Parkside Precise Plan.

M. Recycling Area Requirements.

1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to

drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.

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

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SECTION 6: Section 17.32.055 - Exceptions—Lot area, lot dimensions and lot lines, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

A. Limitations on Substandard Lots.

~~1. No substandard lot shall be independently developed if it is less than five thousand (5,000) square feet in area and if it was owned in common with contiguous property in the same district on October 27, 1969. A substandard lot at least five thousand (5,000) square feet in area may be developed as a standard site under the applicable district regulations.~~

1. R-1, R-2 and R-3 Districts:

a. ~~. In any R district, single-family dwellings only may be erected on any A~~ substandard lot of record, less than five thousand (5,000) square feet in area, shall be considered conforming for a single-family dwelling, if the lot was not owned in common with contiguous property in the same district on October 27, 1969.

1.

b. ~~3. As an exception to subsection (A)(1), a A~~ property in the R-1 Residential District consisting of four (4) contiguous lots of record totaling at least nine thousand six hundred fifty (9,650) square feet that were owned in common on October 27, 1969, may be developed as two (2) sites, each consisting of one pair of contiguous lots.

c. . Contiguous substandard lots owned in common may be subject to merger in compliance with this section and ~~Municipal Code~~ Chapter 16.12.

1. Districts where multifamily or mixed-use development is permitted: A legal lot of record that does not meet the District minimum lot size may be developed as a housing development project as provided in the applicable District regulations and Government Code Section 65913.11.

2. All Districts:

a. In any District, a substandard lot may be developed under the exceptions provided in the applicable District regulations.

b. Any substandard lot created through a parcel map, resubdivision or lot line adjustment approved by the city after October 27, 1969, shall be recognized as a standard ~~site~~ lot.

B. Urban Lot Split. A lot may be created and developed in the R-1 and R-BA districts that does not conform to the District lot area and dimension requirements, subject to the requirements of the Two-unit Development Residential Overlay District, as set forth in Chapter 17.05.

C. Modification in Conjunction with Application for Tentative Map. The planning commission may approve an application for a modification to the lot dimension regulations set forth in Title 17, Zoning, for real property located in any subdivision proposed in compliance with Title 16, Subdivisions, subject to the following findings:

1. The property is of such size or shape, or is subject to such title limitations of record, or is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider to fully conform to the regulations;

2. Each lot or parcel subject to the modification will be capable of being developed in accordance with the other applicable provisions of the zoning ordinance; and

3. The modification conforms with the spirit and purpose of this title.

C. Lot Line Adjustment. In compliance with the procedures set forth in Chapter 16.32 of Title 16, Subdivisions, the planning director may approve a lot line adjustment that will not increase the degree of noncompliance or otherwise increase the discrepancy between existing conditions and the requirements of the Zoning Ordinance, even though the resulting parcels may not fully comply with the development regulations of the applicable zoning district.

D. Elimination of Interior Lot Lines. A property owner may eliminate an interior lot line between record lots in common ownership through recordation of a declaration of merger signed by the property owner and acknowledged by the community development director.

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SECTION 7: Section 17.32.060 - Exceptions – Height Limit, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

(Subsections A, B and C, no change.)

~~D. Exceptions to the height limit to accommodate accessibility improvements (such as elevators and wheelchair van garage spaces) may be allowed upon the granting of an accessibility improvement permit by the zoning administrator, following the conduct of a hearing with ten (10) days' notice thereof being given to property owners and occupants on both sides of, to the rear of and directly across the street from~~

~~the site. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:~~

~~1. The exception is necessary to meet special needs for accessibility of a person having a disability which impairs his or her ability to access the property.~~

~~2. Visual impacts of the accessibility improvements exceeding the height limit will be minimized.~~

~~3. The accessibility improvements will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.~~

~~4. The accessibility improvements will be constructed in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.~~

D. Exceptions to the height limit to accommodate accessibility improvements (such as elevators) may be permitted pursuant to Section 17.32.080 of this Chapter.

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SECTION 8: Section 17.32.070 - Exceptions – Setback requirements, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

(Subsections A.1.a, A.1.b, A.1.c, A.1.d and A.1.e, no change.)

~~A.1.f. Accessibility Improvements (Such as Ramps, Elevators, and Lifts).~~

~~All Setback Areas. Accessibility improvements, such as ramps, elevators and lifts, may be allowed within any front, rear or side area setback upon the granting of an accessibility improvement permit by the zoning administrator, following the conduct of a hearing with ten (10) days' notice thereof being given to the owners of all adjacent properties. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:~~

~~i. The exception is necessary to meet special needs for accessibility of a person having a physical handicap which impairs his or her ability to access the property and cannot be addressed through the standard exceptions to the setback area requirements under this Section 17.32.070.~~

~~Ii. Visual impacts of the accessibility improvements located within a setback area have been minimized.~~

~~Iii. The accessibility improvements will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.~~

~~Iv. The accessibility improvements will be constructed in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.~~

A.1.f. Accessibility Improvements (such as ramps). Exceptions to the setbacks to accommodate accessibility Improvements may be permitted pursuant to Section 17.32.080 of this Chapter.

(Subsections A.2, A.3 and A.4, no change.)

(Subsections B and C, no change.)

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SECTION 9: Section 17.32.080 - Requests for reasonable accommodations, of Chapter 17.32 - General Use Regulations, is amended to read as follows:

~~Modifications or exceptions to the regulations set forth in Title 17 may be requested as reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities, if the accommodation would not impose an undue financial or administrative burden upon the city and would not require a fundamental alteration in the nature of the applicable regulation. Such requests may be granted by the zoning administrator through application for an accessibility improvement permit, following the conduct of a hearing with ten (10) days' notice thereof being given to property owners and occupants on both sides of, to the rear of and directly across the street from the site. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:~~

~~A. The accommodation is necessary to meet special needs for a person having a disability and cannot be addressed through the exceptions under Sections 17.32.060 and 17.32.070.~~

~~B. Any visual impacts of the accommodation will be minimized.~~

~~C. The accommodation will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.~~

~~D. Any construction resulting from the accommodation will be done in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.~~

Modifications or exceptions to the regulations set forth in Title 17 that are not otherwise addressed in Sections 17.32.060.B and C of this Chapter may be granted as reasonable accommodations for residential and non-residential improvements, or for new development, when designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Such requests shall be granted by the planning director through a building permit, if the building permit application demonstrated that:

A. The exception is necessary for current or future accessibility to the property or building by persons with disabilities and such accessibility cannot be addressed within either the applicable zoning district height limits or setbacks, or through other exceptions provided in this Title.
B. The accessibility improvement(s) will be constructed in compliance with all applicable provisions of the state and local building and fire codes concerning accessibility for persons with disabilities.

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File Attachments for Item:

L. Countywide Assignments and Subcommittee Reports

i. Report Out on Subcommittee Meetings

ii. Upcoming Subcommittee Meetings

CITY of BRISBANE

Council Subcommittee Update

From March 15th, 2025 to March 28th, 2025

1. Report Out on Subcommittees/Committees

A. Public Art Advisory Committee 3/17 Davis, O'Connell

The Public Works Director and Assistant Engineer further discussed with the Committee possible art integration from Tulare Street to Santa Clara Street. The stairway project is already funded and currently in the design process. Aside from the stairs and railings themselves, there is also potential for wide landings that could have art on it. The stairway build will begin in Spring 2026 and finished in Summer 2026. The artist(s) will need to be onboard by November.

Next Steps: Public Works staff to provide a general sketch and timeline to PAAC staff liaisons, so that an artists' Request for Proposal may be written.

The Committee Chair read a statement to clarify stakeholder engagement during the art selection process (on meetings page). The Committee concurred with the Chair.

Meeting Page:
https://www.brisbaneca.org/bc-artadvisory/meeting/public-art-advisory-committee-meeting-19

B. Quarry Subcommittee 3/24 Lentz, O'Connell

The Subcommittee met with staff to discuss the Quarry development. They discussed the legal status of the development agreement, possible impact fees, as well as past community benefits from other development agreements. There are concerns about land reclamation, abatement and soil removal. The developers, Orchard Partners, is considering using a Geological Hazard Abatement District (GHAD), which is a public financing tool that is structured for the property owners to pay for maintenance and capital improvements in certain geologically hazardous areas. The developers offered to set up a meeting with NGO Consultants who will administer GHAD. There were questions that could not be answered at this time.

Orchard Partners will be hosting the next Chamber Mixer on April 16th at Genesis in the Marina. They are also hosting a public engagement event on April 23rd at Lipman Middle School. They suggested to learn more about the project, visit www.brisbanequarry.com

Next steps: Staff to set a meeting with just liaisons to discuss confidential information.

Meeting Page:
https://www.brisbaneca.org/citycouncil/meeting/quarry-subcommittee-meeting

C. Age Friendly Subcommittee **3/25** **Kern, Lentz**

The Subcommittee continued to review the Domain/Goals sections of the Age Friendly Action Plan, age friendly programming and grant opportunities. This was a well attended meeting. The plan is categorized into sections called Domain/Goal and the Subcommittee and public gave comments/direction on each:

- Social Participation: Expand the Agilities class as it is very popular; designated senior seating during park events; more activities that cross between Seniors and young people.
  Communication and Information: City Manager suggested that this gets disseminated through the city's Communications Department; color coding for events and flyers (blue for health, green for classes, etc); larger print and colors that are not hard to read; telephone recorded line regarding events.
- Respect and Social Inclusion: Fix-it clinic can be any skillset to teach others, and good opportunity to learn and meet others; having a more robust healthy meal system for seniors.
- Civic Participation and Employment: assist those who want to volunteer but need assistance with the paperwork; Seniors writing age-friendly articles.

Next Steps: There are a few more Domain/Goal sections to review, so a third Age Friendly Subcommittee will be set in May. Staff will also explore an email sent by Ray Branam of Felton Institute's Senior Community Service Employment Program that discusses senior opportunities.

Age Friendly Action Plan: https://www.brisbaneca.org/media/44351
Meeting Page:
https://www.brisbaneca.org/citycouncil/meeting/age-friendly-subcommittee-meeting-0

2. Upcoming Subcommittees:

Sierra Point Parkway Parks & Open Space Subcommittee	4/7	2:30pm	Kern, Lentz

Discuss grant funding opportunities for this area. Meeting requested by staff.

Liaison to Open Spaces & Ecology Committee Subcommittee	4/9	2:00pm	Mackin, O'Connell

Review OSEC's Annual Workplan. Meeting requested by staff.

3. Proposed Subcommittees:

Does any councilmember wish to propose any items for a subcommittee to discuss?