CITY COUNCIL AGENDA REPORT

Meeting Date: May 5, 2022

From: John Swiecki, Community Development Director

Subject: Objective Design and Development Standards – Revised Draft Ordinance

Community Goal/Result

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

Purpose

To comply with state housing law by amending the Brisbane Municipal Code (BMC) to establish objective design and development standards for housing development projects; allow multiple family dwellings in the SCRO-1 District by right; and establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

Recommendation

That the City Council introduce the Ordinance (Attachment 1) and waive the first reading.

Background

Due to several changes in State Law since 2017, specifically Senate Bill 35 and the Housing Accountability Act, California cities must streamline the process for reviewing certain housing development proposals. In general, State law limits the City's discretion in reviewing housing projects to verifying that they comply with objective development standards (ODDS). ODDS provide predictability to the community and developers upfront in the development process, and require no interpretation or personal judgment, as opposed to subjective standards that require interpretation and may cause different people to disagree based on personal perspectives.

The City hired consultants Good City Co. in August 2020 for the ODDS Program. Major tasks included community outreach to understand the community's design preferences, studies of opportunities and constraints to residential development in zoning districts with subjective development standards, and drafting updated zoning ordinance language.

Study sessions were held at the Planning Commission in February 2021 and City Council in July 2021. The Planning Commission considered the draft ordinance at its meetings of October 28 and November 16, 2021. The attached draft Ordinance (Attachment 1) was unanimously (5 ayes) recommended for Council adoption by the Commission at its November 16, 2021

meeting. The Commission's resolution of approval, agenda reports and minutes from the October 28 and November 16 meetings are attached for Council reference (Attachment 4).

City Council considered the draft ordinance on January 20, 2022, and continued the item off calendar. The Council report and minutes from the January 20th meeting are attached for reference (Attachment 3).The matter was subsequently brought back before the City Council Planning Subcommittee (Mayor Mackin and Councilmember Cunningham) in February 2022.

Key issues from the City Council and subcommittee meetings are discussed further below.

DISCUSSION

- **Housing Development Permit Procedures.** Council requested information on how the housing development permit would be processed.
    - **Staff response:** The Draft Ordinance establishes a new review process, called Housing Development Permits (HDP). The approval authority for the HDP would be the Zoning Administrator (ZA) and the process would involve public notification and a published staff report analyzing a project's consistency with objective standards. A public meeting would be held if there is any public objection to the staff determination. If no objections are received, the Zoning Administrator may take action without a public meeting. These procedural changes intend to balance providing the public with information about new projects without imposing subjective review that is inconsistent with state law.
- **Rear setbacks.** Council expressed concern about the sufficiency of rear setbacks.
    - **Staff response:** Staff noted that rear setbacks have not been changed from the existing zoning code, and additional reductions in mass at upper levels have been implemented through stepbacks that are based on a daylight plane.
- **NCRO-2 District amendments.** The City Council expressed a number of concerns with the proposed amendment pertaining to the NCRO-2 District, including the proposed residential density and requirements for small commercial storefronts and the long term economic viability of such spaces.
    - **Staff response:** The above-noted concerns are important and raise broader land use issues for the NCRO-2 District in general which go beyond the scope of the proposed Ordinance. As such proposed revisions to the NCRO-2 standards have been removed from the draft Ordinance and staff will undertake a more comprehensive analysis of the NCRO-2 District addressing these broader issues.
- **Spillover lighting.** Add additional lighting standards to prevent glare into residences.
    - **Staff response:** Staff has added additional requirements for refuse and recycling enclosures including full cutoff luminaries to prevent overspill of lighting to neighboring properties. The City is also developing a Dark Skies ordinance that would apply to new development, including Housing Development Projects.
- **Side articulation.** Add additional interior side articulation standards.

    - **Staff response:** Staff has added additional articulation requirements for interior side walls of properties that are consistent with exterior side requirements (twenty percent of total wall area must be offset by 12 inches).
- **Lightwells.** Consider lightwell requirements.
    - **Staff response:** Side setback regulations in the SCRO-1 District (minimum 5 feet) would allow for adequate separation between buildings to allow light and air. The California Building Code also contains regulations regarding light, air, egress and safety, which require windows in certain sizes and locations. For example, any bedroom must have an egress window that fronts on a public street or court to allow for emergency exit.

Fiscal Impact

None. Permit application fees will be established to cover the processing costs of future applications.

Measure of Success

Objective design standards and permit processing procedure that allow the City to require high-quality design in new housing developments consistent with State law.

Attachments

1. Draft Revised Ordinance
2. Redline of Amended Chapters
3. City Council agenda report and minutes for January 20, 2022 meeting
4. Planning Commission agenda reports and minutes for October 28 and November 16, 2021 meetings and Planning Commission Resolution RZ-2-21
5. Public Comment

John Swiecki

John Swiecki, Community Development Director

Clay Holstine, City Manager

draft
ORDINANCE NO. ___

AN ORDINANCE OF THE CITY OF BRISBANE ADDING SECTIONS 17.02.425, 17.02.565, 17.02.655, and 17.02.748; ADDING CHAPTER 17.45; AND AMENDING SECTIONS 17.02.050, 17.10.040, 17.10.050, 17.16.010, 17.16.020, 17.16.030, 17.16.040, 17.16.050, 17.16.060, 17.16.100, 17.16.110, 17.42.010, 17.42.020, 17.42.040, AND 17.56.030 OF THE BRISBANE MUNICIPAL CODE CONCERNING OBJECTIVE DESIGN STANDARDS AND HOUSING DEVELOPMENT PERMITS

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

SECTION 1: Section 17.02.050 is amended and Sections 17.02.425, 17.02.565, 17.02.655, and 17.02.748 are added as follows:

17.02.425 Housing Development Project.

"Housing Development Project" means a use consisting of any of the following: two or more residential units only; a mixed-use development consisting of two or more residential units and one or more nonresidential uses with at least two-thirds of the square footage designated for residential use; or transitional housing or supportive housing, as defined by California Government Code §50801, subdivision (i) or successor provisions. A Housing Development Project may consist of attached or detached residential units and may occupy more than one parcel, so long as the Housing Development Project is included in the same development application. This definition shall be superseded by changes to California Government Code §65589.5, subdivision (h)(2), or successor provisions. Projects located in the NCRO-2 District shall not be defined as Housing Development Projects.

17.02.050 - Articulation.

"Articulation" means changes of plane on the outside wall of a building such as provided by decks, bays, and other projections or recesses. Articulation also includes voids resulting from a change in the shape of the outside wall. The minimum offset requirement by permit type is as follows:

A. Housing Development Permits: a minimum of one foot of offset in plane

B. Design Permits: a minimum of two feet of offset in a plane

17.02.565 Objective design standard.

"Objective design standard," also referred to "Objective zoning standard" or "objective subdivision standard", shall have the same meaning as established in California Government Code §65913.4, subdivision (a)(5), or successor provisions.

17.02.655 Public transit.

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge a set fare, run on fixed routes, and are available to the public.

17.02.748 Streamlined housing development project.

"Streamlined housing development project" shall mean a housing development project subject to a streamlined ministerial approval process pursuant to California Government Code §65913.4, or successor provisions.

SECTION 2: Sections 17.10.040 and 17.10.050 are amended to read as follows:

17.10.040 Development regulations.

The following development regulations shall apply to any lot in the R-3 district:

A. Lot Area.

1. The minimum area of any lot shall be five thousand (5,000) square feet, except as otherwise provided in subsection B. of this section.

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

B. Density of Development. The minimum lot area for each dwelling unit on the site shall be one thousand 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.

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

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, 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%).

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

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

2. In the case of duplexes and multiple-family dwellings, the area of all covered parking spaces required to be provided for the site shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of four hundred (400) square feet per unit.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G. and in Section 17.32.060, the maximum height of any structure shall be as follows:

a. Twenty-eight (28) feet, for lots having a slope of less than twenty percent (20%); or
b. Thirty (30) feet, for lots having a slope of twenty percent (20%) or more.

2. For a distance of fifteen (15) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages and carports may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title. A garage or carport in compliance with this subsection may exceed a height of thirty (30) feet, but the height of any permitted living area underneath shall not exceed thirty (30) feet from finish grade.

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

1. Front outside wall: Thirty percent (30%) articulation.

2. Side outside walls:

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

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

4. Exemptions: Single story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.

I. Landscaping Requirements.

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

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

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

4. 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 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. (Ord. 485 § 3, 2004; Ord. 463 § 8(part), 2002).

(Ord. No. 548, § 3, 11-1-10; Ord. No. 556, § 8, 2-22-11; Ord. No. 576, § 3, 5-19-16; Ord. No. 607, § 4, 4-7-16; Ord. No. 653 , § 13, 10-15-20)

17.10.050 Permits.

A. Housing Development Permit. A Housing development permit issued pursuant to Chapter 17.45 of this title shall be required for housing development projects and streamlined housing development projects within the R-3 district, including duplexes.

B. Design Permit. A design permit issued pursuant to Chapter 17.42 of this title shall be required for every main structure to be constructed on a lot within an R-3 district, with the exception of single-family dwellings, housing development projects, and streamlined housing development projects.

(Ord. 463 § 8(part), 2002). (Ord. 463 § 8(part), 2002).

SECTION 4: Sections 17.16.010, 17.16.020, 17.16.030, 17.16.040, 17.16.050, 17.16.060, 17.16.070, 17.16.100, and 17.16.110 are amended to read as follows:

17.16.010 Purposes of chapter.

The general plan designates several areas of the city for subregional commercial/retail/office use (SCRO). The SCRO-1 Southwest Bayshore commercial district (hereinafter referred to as the Southwest Bayshore district) is one of such planning areas and is included in the zoning ordinance codified in this title to achieve the following purposes:

A. To create a zoning district for the Southwest Bayshore area that provides for orderly development consistent with the land use policies for that area as set forth in the city's general plan;

B. To encourage a mix of subregional uses and the opportunity to include mixed-uses and residential uses when appropriate;

C. To ensure that future development will be conducted in a manner that will adequately address the environmental constraints in the Southwest Bayshore district, as identified in the general plan;

D. To address historical issues of incompatible land uses;

E. To protect the community health and safety by establishing permit requirements, performance standards, and special findings for the establishment of uses in the Southwest Bayshore district;

F. To provide an opportunity for multiple-family dwellings;

G. To ensure that new residential development is compatible with existing development and reflects the diversity of the community;

H To ensure adequate light, air, space, safety, quiet, and privacy for residential uses;

I. To implement and promote the goals and policies of the General Plan so as to guide and manage residential development in the city in accordance with such Plan. (Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.020 Permitted uses.

A. The following are permitted uses in the SCRO-1 district:

1. Emergency shelters in compliance with Section 17.16.040.
2. Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title.
3. Multiple-family dwellings;
4. Duplexes.
5. Dwelling groups.
6. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
7. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
8. Small and large family day care homes.
10. A mixed use project that meet the definition of a Housing Development Project or a Streamlined Housing Development Project as defined in Chapter 17.02.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11; Ord. No. 626, § 6, 5-17-18; Ord. No. 653 , § 18, 10-15-20) (Ord. No. 564, § 2, 10-3-11; Ord. No. 626, § 6, 5-17-18; Ord. No. 653 , § 18, 10-15-20)

17.16.030 Conditional uses.

A. Allowable Conditional Uses. The following conditional uses, not otherwise permitted per Section 17.16.020(A), may be allowed in the Southwest Bayshore district, upon the granting of a use permit pursuant to Chapter 17.40 of this title and if conducted in accordance with the performance standards set forth in Section 17.16.050 of this chapter:

1. Commercial recreation/commercial gym and health facilities;
2. Contractor's yards;
3. Convalescent homes;
4. Cultural facilities;
5. Educational facilities;
6. Emergency shelters with more than twelve (12) beds;

7. Financial institutions;
8. Food production;
9. Group care homes;
10. Hotels;
11. Light fabrication;
12. Live/work developments;
13. Media studios;
14. Medical facilities;
15. Meeting halls;
16. Mobilehome parks in compliance with Section 17.32.110;
17. Motels;
18. Offices;
19. Outdoor sales and rental;
20. Personal services;
21. Places of worship;
22. Printing;
23. Product showrooms;
24. Research and development, where the planning director determines, as a result of a risk analysis performed in accordance with Policy No. 166.1 of the general plan, that the use of hazardous materials will not constitute a major component of the research and development activities to be conducted on the site. Research and development involving cannabis is additionally subject to the requirements in Chapter 17.33;
25. Restaurants;
26. Retail sales and rental;
27. Single-family dwellings and single-family dwellings with accessory dwelling units in compliance with the provisions of Chapter 17.43 of this Title;
28. Storage;
29. Veterinary clinics;
30. Warehousing;
31. Single-room occupancy units.

B. Mixed Uses. For a mixed use project that does not meet the definition of a Housing Development Project or Streamlined Housing Development Project, as defined in Chapter 17.02, a combination of any residential and nonresidential uses listed in subsection A of this Section 17.16.030, or in Section 17.16.020, may be allowed as a mixed use within the same structure or upon the same site when specifically authorized by the use permit granted for each

individual conditional use and upon such additional conditions as the approving authority may deem necessary or appropriate to insure the compatibility of such mixed uses.

C. Night Operations. Night operations associated with the conduct of any uses listed in subsection A of this section (except residential uses) shall require a use permit when subject to the provisions of Section 17.16.070 of this chapter. (Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11; Ord. No. 622, § 3, 11-16-17; Ord. No. 617, § 13, 9-7-17; Ord. No. 626, § 6, 5-17-18)

17.16.040 Development regulations.

Development regulations in the Southwest Bayshore district are as follows:

A. Lot Area. The minimum area of any lot shall be seven thousand five hundred (7,500) feet.

B. Density of Development. The minimum lot area for each dwelling unit on a site shall be as follows:

1. Single-family dwellings: Seven thousand five hundred (7,500) square feet;

2. Duplex dwellings: Three thousand seven hundred fifty (3,750) square feet;

3. Multiple-family dwellings 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.

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%).

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

(Ord. 443 § 2(part), 2000).

(Ord. No. 548, § 6, 11-1-10; Ord. No. 556, § 15, 2-22-11; Ord. No. 564, § 2, 10-3-11; Ord. No. 607, § 7, 4-7-16; Ord. No. 630, § 3, 12-6-18; Ord. No. 653 , § 19, 10-15-20)

17.16.050 Performance standards.

All uses in the Southwest Bayshore district shall be conducted in accordance with the following performance standards:

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

1. Outdoor activities specifically authorized by the use permit;

2. Parking of operable vehicles related to the authorized uses conducted on the site;

3. Shipments and deliveries incidental to the conduct of the primary use on the site.

4. Emergency shelter outdoor activities as set forth in Section 17.16.040(L)(12).

B. The site shall be kept free of trash and debris.

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

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

E. Lighting shall be designed to avoid excessive glare as viewed from offsite locations and in compliance with the California Green Building Standards Code. Lighting shall also be stationary, shielded or otherwise directed away from direct view of the light source as viewed from adjacent properties and public rights of way, and of intensity compatible with the neighborhood.

F. Site development shall minimize disturbance of existing natural slopes to the extent feasible, maintain public view corridors of the San Francisco Bay and San Bruno Mountain, minimize rooftop glare, and screen exterior mechanical equipment.

(Ord. 443 § 2(part), 2000).

(Ord. No. 556, § 16, 2-22-11; Ord. No. 564, § 2, 10-3-11)

17.16.060 Special findings.

In addition to the findings required for approval of a use permit as set forth in Section 17.40.060, no use permit shall be granted for any conditional use in the Southwest Bayshore district unless the approving authority also makes such of the following findings as may be applicable to the application:

A. Adequate measures have been taken to protect workers and residents from the twenty-four (24) hour noise generated by traffic on Bayshore Boulevard.

B. The improvements have been designed in a manner that will make adequate provision for on-site parking and traffic circulation and safe ingress to and egress from the site.

C. The improvements have been designed to be compatible with the topography and soils of the hillside.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.070 Night operations.

A. Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as set forth below:

1. "Existing business" means a business or other use that is legally operating within the Southwest Bayshore district as of February 9, 2000, in accordance with all zoning regulations applicable thereto, and pursuant to a business license duly issued by the city.

2. "Night operations" means any activity conducted between the hours of ten (10:00) p.m. and five (5:00) a.m. of the following day.

B. Requirement for Use Permit to Conduct Night Operations. Except as otherwise provided in subsection C of this section, no business or other use, with the exception of residential uses, shall engage in the conduct of night operations at any location within the Southwest Bayshore district unless a use permit for such night operations has been granted pursuant to this chapter. The requirement for a use permit is applicable only to the commercial component of the project.

C. Continuation of Night Operations by Existing Businesses. An existing business which has lawfully been conducting night operations prior to February 9, 2000, may continue to conduct such night operations on the same site and shall be exempted from the requirement to obtain a use permit pursuant to this section. This exemption shall not apply to any relocation of the night operations to a different site, nor may the exemption be assigned or transferred by the existing business to a different business establishment or use, whether conducted on the same site or elsewhere.

D. Approving Authority. Applications for a use permit to conduct night operations shall be acted upon by the planning commission and shall be governed by the provisions of Chapter 17.40 of this title, as supplemented by this section.

E. Findings for Use Permit Approval. In addition to the findings required for approval of a use permit, as set forth in Section 17.40.060 and elsewhere in this section, no use permit shall be granted for the conduct of night operations in the Southwest Bayshore district unless the planning commission also finds and determines that the night operations conducted by the applicant will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

F. Use Permit Conditions. Without limiting the authority of the planning commission to impose conditions on the granting of a use permit pursuant to Section 17.40.070, a use permit authorizing the conduct of night operations in the Southwest Bayshore district may contain limitations on the days and hours of operation, restrictions on the nightly volume of vehicle trips, restrictions on the type of vehicles or equipment that may be operated at night, requirements for special devices and measures for abatement of noise and glare, and requirements for mitigation monitoring and periodic mandatory review. The planning commission shall have continuing jurisdiction over every use permit issued pursuant to this section and may at any time, if the original findings required for issuance of the use permit can no longer be made, modify or amend any of the use permit conditions, or impose new and additional conditions, or revoke the use permit.

(Ord. 443 § 2(part), 2000).
(Ord. No. 564, § 2, 10-3-11)

17.16.100 Permits.

A. Housing Development Permits. Housing Development Projects and Streamlined Housing Development Projects are subject to the findings in Section 17.45.040 and the objective design standards in Section 17.45.030.

B. Design Permits. The construction of any principal structure in the Southwest Bayshore district, except a single-family or duplex dwelling or emergency shelter as set forth in Section 17.16.040.L or a Housing Development Project or Streamlined Housing Development Project, as defined in Chapter 17.02 and permitted by Chapter 17.45, shall be subject to the granting of a design permit in accordance with the provisions of Chapter 17.42 of this title and any applicable design guidelines adopted by the city. (Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.110 Visual impact analysis.

All projects, including single-family and duplex dwellings, but excluding emergency shelters as set forth in Section 17.16.040(L) and Housing Development Projects and Streamlined Housing Development Projects as defined in Chapter 17.02, shall submit a visual impact analysis, in accordance with guidelines approved by the planning commission, to address the following design issues: relationship to steep slopes; public view corridors; view of San Francisco Bay and San Bruno Mountain; material and lighting, especially as pertains to light and glare; treatment of roofs and the screening of mechanical equipment.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

SECTION 6: Section 17.42.010, 17.42.020, and 17.42.040 are amended to read as follows:

17.42.010 Applicability.

A. Except as otherwise provided in subsection B of this section, a design permit shall be required for the construction of any new principal structure or the substantial modification of an existing principal structure for which no design permit has previously been issued. As used herein, the term "substantial modification" means an alteration or expansion of the exterior and/or interior of the structure to the extent of significantly modifying its basic design, elevations, size, appearance, or relationship to adjacent properties or structures, as determined by the planning director.

B. No design permit shall be required for the construction or substantial modification of any single-family dwelling, accessory dwelling unit, junior accessory dwelling unit, duplex, or accessory structure, unless part of a dwelling group totaling three (3) or more units or part of a mixed use development, or a design permit for such structure has been required as a condition of a development approval granted by the city. No design permit shall be required for the construction or substantial modification of an emergency shelter of twelve (12) beds or less, as set forth in Section 17.16.040(J).

C. No design permit shall be required for housing development projects or streamlined housing development projects, as defined in Chapter 17.02; provided, however, housing development projects and streamlined housing development projects are subject to the housing development permit requirements set forth in Chapter 17.45.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

17.42.020 Application for design permit.

A. Contents of Application. Application for a design permit shall be filed with the planning director on such form as the planning director shall prescribe. The application shall be accompanied by legible and reproducible sets of completely dimensioned, scaled site development and architectural plans, with bar scales, showing such of the following items as the planning director deems appropriate in order to evaluate and process the application:

1. Existing and/or proposed structures with floor plans (with the use of each room/space labeled), roof plans, and elevations of all sides of the existing and/or proposed structures, identifying colors and materials as appropriate, indicating the height from natural and/or finish grade on each elevation of the tallest points of the structure (cross-sections may also be required based upon the complexity of the design), and including UBC type of construction;

2. Accurately dimensioned property lines, setbacks, structures on adjacent properties (and their uses), streets, easements, existing and proposed utilities, and building coverage and lot area calculations;

3. Location of existing trees by size (circumference measured twenty-four (24) inches above grade) and type, indicating those proposed for removal;

4. Conceptual landscaping plans showing species, common name, size and number of plantings, with description of proposed plantings (height at maturity, time to maturity, color, drought/wind/salt tolerance, and deciduousness), calculation of the total square footage of proposed irrigated landscaped area and explanation of proposed method of irrigation;

5. Existing and proposed parking facilities, including the dimensions of parking spaces, number and location of spaces designated as compact or handicapped spaces, and a calculation of the number of parking spaces required by this title or any other applicable regulations;

6. Paving details, improved street width (curb-to-curb), sidewalks, and driveway cuts;

7. Existing and proposed topography of the property (at five (5) foot intervals), clearly indicating any proposed grading and filling and the amounts in cubic yards of proposed excavation, fill and removal from the site. If requested by the planning director, a soils report and/or geotechnical study shall also be furnished;

8. Drainage details, exterior lighting, trash enclosures, signs, fences and method of screening exterior mechanical equipment (including rooftop air-conditioning units, transformers and public utilities);

9. Material and color samples and colored rendering of the project;

10. Photographs of the Site. Photomontages of the proposal may also be required dependent upon the visual significance of the proposal.

B. **Application Fee**. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council. In addition to the processing fee, the applicant shall also deposit such amounts as the planning director may require from time to time to cover the cost of any environmental investigations or reports, geotechnical and engineering reports, review of green building documentation, and such other investigations and reports that may be required by the city in connection with the processing of the application.

C. **Newly Constructed Condominiums**. In addition to the information listed in this section, an application for a design permit for newly constructed condominiums, as defined in BMC 17.30.020(A), shall also include the materials set forth in Section 17.30.040.

(Ord. 524 § 4, 2007: Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11; Ord. No. 612, § 19, 12-8-16)

17.42.040 Findings required for issuance of design permit.

The planning commission may grant a design permit as applied for or in modified form if, on the basis of the application and the evidence submitted, the commission finds and determines the following findings as may be applicable to the proposed development:

A. The proposed development is consistent with the General Plan and any applicable specific plan.

B. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.

C. The orientation and location of buildings, structures, open spaces and other features integrate well with each other and maintain a compatible relationship to adjacent development.

D. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses.

E. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.

F. For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact. Significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park are preserved.

G. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation

pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.

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

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

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

K. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.

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

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

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

(Ord. 449 § 1(part), 2000).

(Ord. No. 556, § 27, 2-22-11; Ord. No. 564, § 3, 10-3-11)

SECTION 7: Chapter 17.45 is added to read as follows:

Chapter 17.45 Housing Development Permits.

17.45.010 Applicability.

A. Except as otherwise provided in subsection B of this section, a housing development permit shall be required for the construction of any new principal structure that meets the definition of a Housing Development Project or a Streamlined Housing Development Project, as defined in Chapter 17.02.

B. No housing development permit shall be required for the construction or substantial modification of a single-family dwelling, accessory dwelling unit, or junior accessory dwelling unit, unless part of a dwelling group totaling three (3) or more units. No housing development permit shall be required for the construction or substantial modification of a duplex, unless the duplex is located in the R-3 Zoning District.

C. The Community Development Director shall determine applicability of this Section within 30 days of submittal of a complete housing development permit application.

17.45.020 Application.

A. Contents of Application. Applications for a housing development permit shall be filed with the planning director on such form as the planning director shall prescribe. The application shall be accompanied by legible and reproducible sets of completely dimensioned, scaled site development and architectural plans, with bar scales, showing such of the following items as the planning director deems appropriate in order to evaluate and process the application:

1. Existing and/or proposed structures with floor plans (with the use of each room/space labeled), roof plans, and elevations of all sides of the existing and/or proposed structures, identifying colors and materials as appropriate, indicating the height from natural and/or finish grade on each elevation of the tallest points of the structure (cross-sections may also be required based upon the complexity of the design), and including UBC type of construction;

2. Accurately dimensioned property lines, setbacks, structures on adjacent properties (and their uses), streets, easements, existing and proposed utilities, and building coverage and lot area calculations;

3. Location of existing trees by size (circumference measured twenty-four (24) inches above grade) and type, indicating those proposed for removal;

4. Conceptual landscaping plans showing species, common name, size and number of plantings, with description of proposed plantings (height at maturity, time to maturity, color, drought/wind/salt tolerance, and deciduousness), calculation of the total square footage of proposed irrigated landscaped area and explanation of proposed method of irrigation;

5. Existing and proposed parking facilities, including the dimensions of parking spaces, number and location of spaces designated as compact or handicapped spaces, and a calculation of the number of parking spaces required by this title or any other applicable regulations;

6. Paving details, improved street width (curb-to-curb), sidewalks, and driveway cuts;

7. Existing and proposed topography of the property (at five (5) foot intervals), clearly indicating any proposed grading and filling and the amounts in cubic yards of proposed excavation, fill and removal from the site. If requested by the planning director, a soils report and/or geotechnical study shall also be furnished;

8. Drainage details, exterior lighting, trash enclosures, signs, fences and method of screening exterior mechanical equipment (including rooftop air-conditioning units, transformers and public utilities);

9. Material and color samples and colored rendering of the project;

10. Photographs of the Site. Renderings of the proposal may also be required dependent upon site circumstances.

B. **Application Fee**. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council. In addition to the processing fee, the applicant shall also deposit such amounts as the planning director may require from time to time to cover the cost of any environmental investigations or reports, geotechnical and engineering reports, review of green building documentation, and such other investigations and reports that may be required by the city in connection with the processing of the application.

C. **Newly Constructed Condominiums**. In addition to the information listed in this section, an application for a housing development permit for newly constructed condominiums, as defined in 17.30.020(A) of this Title, shall also include the materials stipulated in Section 17.30.040.

B. **Streamlined Housing Development Projects.** Applications for Streamlined Housing Development Projects shall include additional supporting documentation to demonstrate eligibility as set forth on a form prescribed by the city.

17.45.030 Objective Standards.

Housing development projects and streamlined housing development projects must be consistent with each of the objective design standards below. Supplementary Housing Development Design Guidelines may be established and may be used as a supplement to these objective standards:

A. Site design.

1. A minimum of one (1) main exterior pedestrian entrance shall be publicly visible per building. Buildings entirely located greater than 50’ from front property line are excluded from this requirement if another building on that site has at least one main publicly-visible exterior pedestrian entrance.

2. At least 50% percent of any street-facing, ground-floor facade shall be parallel to the street.

B. Roof design. Rooflines shall be articulated at least every 50 feet along the street frontage. For purpose of this standard, roofline articulation can be achieved through the use of architectural elements such as parapets, varying cornices, reveals, clerestory windows, and varying roof height, roof planes, special treatment of corner elements, and/or form.

C. Materials.

1. Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

2. Buildings over two stories must provide a ground floor elevation that is distinctive from the upper stories by providing a material change between the first floor and upper floors along at least 75% of the building façade with frontage upon a street, adjacent public park, or public open space.

3. Buildings shall carry the same theme on all elevations. For the purposes of this standard, a theme includes primary (non-accent) materials and colors.

4. Exterior materials and finishes shall be consistent with the proposed architectural style.

5. Exterior primary (non-accent) materials and finishes shall be durable and have a demonstrated service life of at least 30 years (e.g. a warranty period provided by its installer).

6. At least two materials shall be used on any building frontage, in addition to glazing, trim, railings, and any visible roofing or building skirt materials.

7. For buildings in the SCRO-1 District, durable and highly resistant building base materials, such as precast concrete, brick, stone masonry, and commercial grade ceramic, shall be selected to withstand pedestrian traffic.

8. Materials for roofing, buildings, and windows shall be consistent with the Community Development Department's Supplemental Housing Development Design Guidelines.

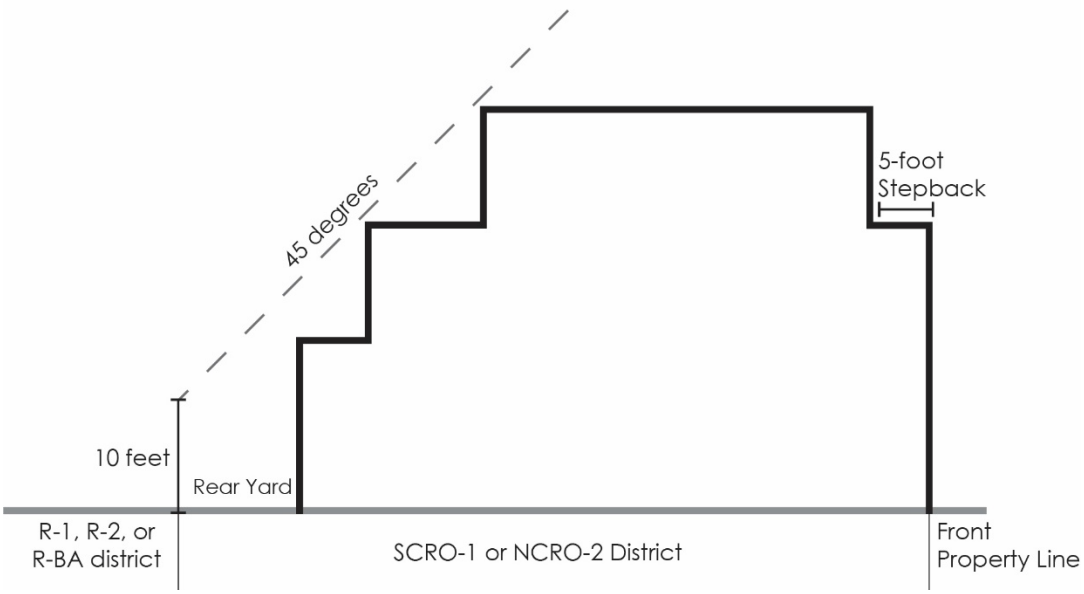
D. **Window design.** Window trim of at least one inch width shall be provided at all exterior window and door openings. In lieu of exterior window trim, windows may be recessed from wall plane by a minimum of three inches.

E. **Stepbacks.** For buildings in the SCRO-1 District:

1. **Front:** Structures shall include a 5-foot minimum front step-back for the 3rd story or any floor above 25 feet along at least 30% of the frontage, and a 10-foot minimum front step-back for the 4th story or any floor above 35 feet in height. For corner lots, the stepped back portion of the structure shall be located away from the corner, defined as the portion of the structure that faces the intersection of two public rights of way, in order to add emphasis to architectural corner elements.

2. **Rear and interior side:** Structures shall not intercept a forty-five-degree inclined plane inward from a height of ten feet above existing grade at any rear or interior lot line adjoining an R-1, R-2, or R-BA district.

Figure 17.45.030-1 SCRO-1 Stepbacks

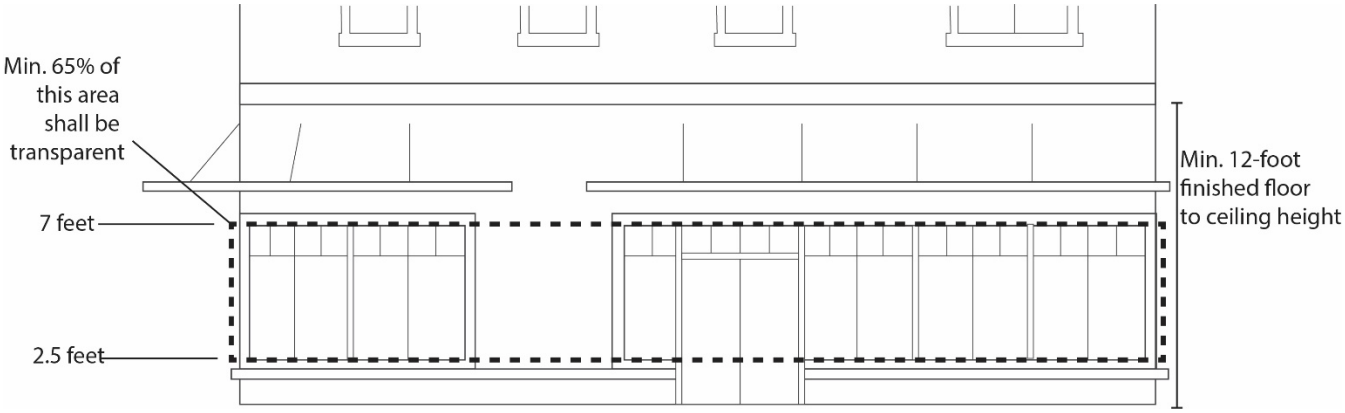


F. **Ground Floor Requirements.**

1. **Minimum Height**. Any ground floor associated with a non-residential use shall have a minimum finished floor to ceiling height of 12 feet.

2. **Ground Floor Transparency.** The ground-floor street-facing building walls of non-residential uses shall provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage located between 2½ and 7 feet above the sidewalk. Ninety percent of the transparent windows or doors area shall remain clear to allow views into the building. The transparent area shall be maintained and not obscured. Street-facing areas used as parking structures or garage doors are exempt from this requirement, but are subject to the design requirements in subsection H(3) below.

Figure 17.45.030-2 Ground Floor Requirements



G. Massing and articulation.

1. A minimum of one architectural feature, such as balconies, cantilevers, dormers, bay windows, patios, and individualized entries, shall be incorporated into each building.

2. Blank walls (façades without doors, windows, landscaping treatments) shall be less than 15 feet in length along sidewalks, pedestrian walks, or publicly accessible outdoor space areas.

3. **Articulation Requirements.** For purposes of this chapter, articulation shall be defined as a minimum of twelve inches of offset in plane, as defined in Section 17.02.050(A). 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:

    a. Front outside wall: Thirty percent (30%) articulation of total wall area.

    b. Side outside walls:

        i. Interior 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 interior side outside wall shall be twenty percent (20%) of total wall area. No articulation shall be required for the interior side outside wall of structures located on lots having an average width of less than forty (40) feet.

        ii. 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%) of total wall area. 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.

    c. Rear outside wall: Thirty percent (30%) articulation of total wall area.

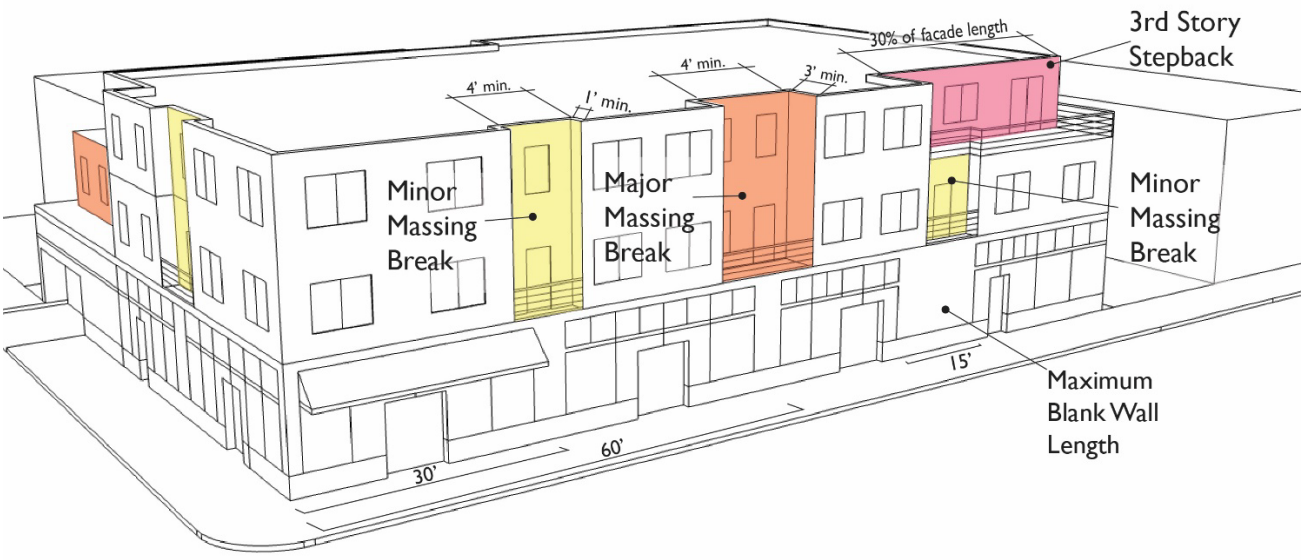
    d. **Exemptions.** Single-story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet. Parking structures are exempt but subject to the articulation requirements in subsection H(3) below.

4. **Massing Breaks.** Massing breaks, as described below, shall be required for buildings with street frontage of 30 feet or greater. Ground floor non-residential uses shall be exempt from massing break requirements.

    a. **Minor.** Buildings shall have minor massing breaks at least every 30 feet along the street frontage, through the use of varying setbacks, building entries and recesses, or structural bays. Minor breaks shall be a minimum of one foot deep and four feet wide and extend the full height of the building.

    b. **Major**. Buildings shall have major massing breaks at least every 60 feet along any street frontage, adjacent public park, publicly accessible outdoor space, or designated open space, through the use of varying setbacks and/or building entries. Major breaks shall be a minimum of three feet deep and four feet wide and extend the full height of the building.

Figure 17.45.030-3 Articulation and Massing Breaks



H. Parking design and location.

1. General Location. Parking shall be located out of public view wherever feasible.

2. **Uncovered Parking.**

a. **Location**. Uncovered parking lots shall be located out of public view or screened as set forth below.

b. Lighting. All parking lot lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences.

c. **Screening.** Uncovered parking areas shall be screened from view from public streets and adjacent lots in the R-1, R-2, or R-BA Districts, according to the following standards:

i. **Screening from Residential Districts.** Screening of parking lots along interior lot lines that abut an R-1, R-2, or R-BA District shall be eight feet in height. If landscaping is used as a screening material along an interior lot line, it must also be a minimum of 3 feet in width. Screening materials may consist of fencing or planting. Plant materials shall consist of compact evergreen plants that form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

ii. **Screening from Public Streets.** Screening of parking lots from adjacent public streets shall be three feet in height. Screening may consist of one or any combination of the methods listed below:

(a) **Walls.** Walls consisting of brick, stone, stucco, or other quality durable material approved by the Director, and including a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Director.

(b) **Fences.** An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

(c) **Planting.** Compact evergreen plants that form an opaque screen. Such plant materials must achieve a minimum height of two feet within eighteen months after initial installation.

(d) **Berms**. Berms planted with grass, ground cover, or other low-growing plant materials.

(e) **Exception.** Screening shall not be required for uncovered tandem parking located within a driveway in the R-3 District.

3. **Covered Parking.**

a. **Location: Parking Garages**. Parking Garages may be located in an area that is publicly visible, provided that the design standards below are met.

b. Design. The following design features shall be incorporated into all covered parking structures.

i. Garages and carports shall be designed to include a minimum of two of the following from the main building(s): materials, detailing, roof materials, and colors.

ii. Carport support posts shall be a minimum of eight inches (8") square and exposed steel columns and posts are prohibited. At least one material from the primary structure shall be included in the carport design.

iii. Parking structures or garage entrances shall not occupy more than 60% of the building width of any front elevation facing a Front Lot line in the SCRO-1District.

iv. Parking structure exterior walls shall not present a solid unbroken wall surface. Walls greater than 40 feet in length shall include articulation, landscaping, or textured treatments over 25% of the total wall area at minimum.

v. Ventilation openings shall be screened, for example with decorative grille work or landscaping.

4. **Bicycle Parking**. Where bicycle parking is not visible from the street, directional signage shall be included at the main building entrance.

I. Accessory elements.

1. Perimeter fencing utilized along public streets shall be constructed of decorative iron, pre-painted welded steel, or wood material. Chain link fencing, vinyl fencing, and expanded metal panels are prohibited.

2. Roof top equipment shall be screened from visibility. The point of view for determining visibility shall be five feet above grade at a distance of 200 feet. If the roof structure does not provide this screening, include an equipment screen in the design.

3. All exterior trash, recycling, and storage utility boxes, wood service poles, electric and gas meters, fire sprinkler valves and backflow preventers and transformers shall be screened from visibility.

J. **Additional objective standards within Title 17.** Projects subject to this chapter must comply with all other applicable objective standards within Title 17 including, but not limited to:

1. Development regulations including lot area, density of development, lot dimensions, setbacks, lot coverage, height of structures, landscaping requirements, and additional screening requirements, recycling area requirements not covered in this chapter include:

a. Development regulations as indicated for the R-2 District in 17.08.040,

b. Development regulations as indicated for the R-3 District in 17.10.040,

c. Development regulations as indicated for the SCRO-1 District in 17.16.040

2. Parking standards as indicated in Section 17.34.

3. Signage standards as indicated in Section 17.36

17.45.040 Findings.

A. The Zoning Administrator may approve a housing development permit subject to the following finding:

1. The project conforms to the objective design standards established in Section 17.45.045 and throughout Title 17 and conforms to the development standards of the zoning district in which the project is located.

B. **Findings for denial.** The Zoning Administrator may deny a housing development permit, or approve upon the condition that the project be developed at a lower density, subject to the following findings and supported by substantial evidence in the record:

1. The project does not comply with applicable objective general plan and zoning code objective standards in effect at the time the application has been determined to be deemed complete.

2. The housing development project would have a specific, adverse impact upon the public health or safety.

3. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than through disapproval or approval upon the condition that the project be developed at a lower density.

4. **Affordable Housing.** In addition to the findings above, the Zoning Administrator may deny a housing development permit for a proposed housing development project for very low, low-, or moderate-income households or condition approval in a manner that renders development of such a project infeasible, subject to at least one of the following findings, supported by substantial evidence in the record:

    a. The city has met or exceeded its share of the regional housing need allocation for the planning period for each of the income categories proposed for the housing development project as identified in the housing element.

    b. The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

    c. The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

    d. The development project is proposed on land which does not have adequate water or wastewater facilities to serve the project.

    e. The development project is inconsistent with both the zoning ordinance and general plan land use designation as of the date the application was deemed complete, and the project is not proposed for a site that is identified as suitable for very low, low-, or moderate-income households in the housing element and is inconsistent with the density specified in the housing element.

C. As used in this section, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as of the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

D. Any disapproval or conditional approval of a housing development permit for a proposed project for very low, low-, or moderate-income households shall not discriminate on the basis of any of the reasons prohibited by California Government Code Section 65008.

17.45.050 Action by the Zoning Administrator.

A. The Zoning Administrator may either grant or deny the application for housing development permit subject to the required findings under Section 17.45.040, as applicable to the project type, and may grant the permit subject to such conditions as the Zoning Administrator deems necessary or appropriate.

B. The Zoning Administrator shall provide notice of the application and publish a staff report with a recommended decision to grant or deny a housing development permit 14 days prior to a decision on a housing development permit. The notice of the application shall be given to all

owners of property within three hundred (300) feet of the exterior boundaries of the subject property.

C. If no public comments objecting to staff's analysis of an application's consistency with objective standards are received within 14 days of the date of notice of application, the Zoning Administrator shall act on the application consistent with the recommendation contained in the staff report.

D. If public comments objecting to staff's analysis of consistency with objective standards are received, the Zoning Administrator shall hold a public meeting to review the application and consistency analysis. Notice of the meeting shall be given to all owners of property within three hundred (300) feet of the exterior boundaries of the subject property. The notices shall be mailed not less than ten (10) or more than thirty (30) days before the date of the meeting.

E. The housing development permit shall become effective upon the expiration of ten (10) days following the date on which the housing development permit was granted by the Zoning Administrator, unless an appeal has been filed pursuant to Chapter 17.52 of this Title.

F. Streamlined housing development projects are exempt from the notice of application requirement above, and only a notice of decision shall be given to property owners within three hundred feet of the exterior boundaries of the subject property. Streamlined housing development projects shall be subject to the approval time limits described in California Government Code §65913.4, or successor provisions.

17.45.060 Expiration of a housing development permit--Extensions.

A. A housing development permit granted pursuant to this chapter shall expire twenty-four (24) months from the date on which such permit became effective, unless prior to such expiration date a building permit for the structure which is the subject of the permit has been issued.

B. A housing development permit may be extended by the Zoning Administrator for a period or periods of time not exceeding thirty-six (36) months. The application for extension shall be filed prior to the expiration date of the permit and shall be accompanied by payment of a processing fee in such amount as established from time to time by resolution of the city council. Public notice thereof shall be given in the same manner as prescribed in Section 17.45.060 of this chapter. Extension of a housing development permit is not a matter of right and the Zoning Administrator may deny the application or grant the same subject to conditions. Streamlined housing development projects shall be subject to the procedures and expiration described in California Government Code §65913.4, or successor provisions.

17.45.070 Amendment of a housing development permit—Minor Modifications.

A. Amendments or modifications to a housing development permit shall require approval by the Zoning Administrator. The application requirements, objective standards and findings required for amendments or modifications to a housing development permit shall be as prescribed in Sections 17.45.020, 17.45.030 and 17.45.040 of this chapter.

B. Notwithstanding the above, streamlined housing development projects shall be subject to the modification standards described in California Government Code §65913.4, or successor provisions.

SECTION 8: Section 17.56.030 and 17.56.100 are amended to read as follows:

17.56.030 Zoning administrator—Action on applications.

A. Except as otherwise provided in this chapter, the zoning administrator shall hear and decide the following:

1. Applications for zoning conformance;

2. Applications for variances;

3. Applications for minor modifications;

4. Applications for certain sign permits, in accordance with the provisions of Chapter 17.36 of this title;

5. Applications for administrative permits for wireless telecommunication facilities, in accordance with the provisions of Section 17.32.032 of this title;

6. Applications for administrative permits for solar energy systems, in accordance with the provisions of Section 17.32.060(C);

7. Applications for accessibility improvement permits, in accordance with the provisions of Sections 17.32.060(D), 17.32.070(A)(1)(f) and 17.32.080;

8. Applications for large family day care homes, per State Health and Welfare Code Sections 1597.46(a)(3) and 1597.465; and

9. Applications for amendments or modifications to a design permit, per Section 17.42.070.

10. Applications for housing development permits, per Chapter 17.45.

B. In connection with the applications provided for in this section, the zoning administrator shall have all the duties and responsibilities set forth in this title for the planning commission.

(Ord. 508 § 3, 2005; Ord. 417 § 8, 1997: Ord. 401 § 2, 1995: Ord. 253 § 15.1(C), 1984).

(Ord. No. 564, § 4, 10-3-11)

17.56.100 Appeals.

A. Appeals from the decision of the zoning administrator, except decisions related to Housing Development Permits per Chapter 17.45 of this Title, may be made to the planning commission within seven (7) days after the action of the zoning administrator. Upon receipt of an appeal, the zoning administrator shall forward the same, together with the records on the matter, to the planning commission. The secretary to the planning commission shall set the

matter for hearing before the planning commission at the earliest available date and cause notice of such hearing to be given as set forth in Chapter 17.54. The planning commission shall consider the matter in the same manner as an application for a variance.

B. Appeals from decisions of the zoning administrator related to Housing Development Permits per Chapter 17.45 of this Title shall be made to the city council within seven (7) days after the action of the zoning administrator and shall follow the procedure set forth in Chapter 17.52. (Ord. 298 § 15.6, 1984).

SECTION 10: Where a use permit, design permit or variance approval has been issued through final action by the City prior to the effective date of this Ordinance, or where such planning permit approval is not required and a complete building permit application has been submitted prior to the effective date of this Ordinance, the holder of such use permit, design permit or variance approval or complete building permit application may proceed to construct the improvements or establish the use authorized by such permit or approval and the same shall be exempted from any conflicting regulations that may be contained in this Ordinance.

SECTION 11: 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 12: This Ordinance shall be in full force and effect thirty days after its passage and adoption.

* * *

The above and foregoing Ordinance was regularly introduced and after the waiting time required by law, was thereafter passed and adopted at a regular meeting of the City Council of the City of Brisbane held on the _____ day of _____ 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
Legal Counsel

Chapter 17.02 DEFINITIONS

Sections:

17.02.425 Housing Development Project.

"Housing Development Project" means a use consisting of any of the following: two or more residential units only; a mixed-use development consisting of two or more residential units and one or more nonresidential uses with at least two-thirds of the square footage designated for residential use; or transitional housing or supportive housing, as defined by California Government Code §50801, subdivision (i) or successor provisions. A Housing Development Project may consist of attached or detached residential units and may occupy more than one parcel, so long as the Housing Development Project is included in the same development application. This definition shall be superseded by changes to California Government Code §65589.5, subdivision (h)(2), or successor provisions. Projects located in the NCRO-2 District shall not be defined as Housing Development Projects.

17.02.050 - Articulation.

"Articulation" means changes of plane on the outside wall of a building such as provided by decks, bays, and other projections or recesses. Articulation also includes voids resulting from a change in the shape of the outside wall. The minimum offset requirement by permit type is as follows:

A. Housing Development Permits: a minimum of one foot of offset in plane
B. Design Permits: a minimum of ~~of~~ two feet ~~or greater, such as provided by decks, bays, and other projections or recesses.~~ of offset in a plane

~~Articulation also includes voids resulting from a change in the shape of the outside wall.~~

17.02.565 Objective design standard.

"Objective design standard," also referred to "Objective zoning standard" or "objective subdivision standard", shall have the same meaning as established in California Government Code §65913.4, subdivision (a)(5), or successor provisions.

17.02.655 Public transit.

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge a set fare, run on fixed routes, and are available to the public.

17.02.748 Streamlined housing development project.

"Streamlined housing development project" shall mean a housing development project subject to a streamlined ministerial approval process pursuant to California Government Code §65913.4, or successor provisions.

Chapter 17.10 R-3 RESIDENTIAL DISTRICT

17.10.010 Purposes of chapter.

In addition to the objectives set forth in Section 17.01.030, the R-3 residential district (hereinafter referred to as the "R-3 district") is included in the Zoning Ordinance to achieve the following purposes:

A. To provide a district for multiple-family dwellings;

B. To ensure that new residential development is compatible with the existing development and reflects the diversity of the community;

C. To ensure adequate light, air, space, fire safety, quiet, and privacy for residential uses;

D. To implement and promote the goals and policies of the general plan so as to guide and manage residential development in the city in accordance with such plan.

(Ord. 463 § 8(part), 2002).

17.10.020 Permitted uses.

The following permitted uses shall be allowed in the R-3 district:

A. Multiple-family dwellings;

B. Single-family dwellings.

C. Duplexes.

D. Dwelling groups.

E. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.

F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

G. Small family day care homes.

H. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

(Ord. 463 § 8(part), 2002; Ord. No. 575, § 5, 12-3-12; Ord. No. 617, § 11, 9-7-17; Ord. No. 626, § 3, 5-17-18; Ord. No. 653 , § 12, 10-15-20)

17.10.030 Conditional uses.

The following conditional uses may be allowed in the R-3 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

A. Cultural facilities;

B. Day care centers;

C. Educational facilities;

D. Group care homes;

E. Large family day care homes;

F. Mobilehome parks;

G. Meeting halls;

H. Places of worship.

(Ord. 463 § 8(part), 2002).

(Ord. No. 575, § 6, 12-3-12)

17.10.040 Development regulations.

The following development regulations shall apply to any lot in the R-3 district:

A. Lot Area.

1. The minimum area of any lot shall be five thousand (5,000) square feet, except as otherwise provided in subsection B. of this section.

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

B. Density of Development. The minimum lot area for each dwelling unit on the site shall be one thousand 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.

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

Width	Depth
50 feet	100 feet

D. Setbacks. The minimum required setbacks for any lot, 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%).

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

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

2. In the case of duplexes and multiple-family dwellings, the area of all covered parking spaces required to be provided for the site shall be excluded from the calculation of floor area ratio; provided, however, such exclusion shall not exceed a total area of four hundred (400) square feet per unit.

G. Height of Structures.

1. Except as otherwise provided in paragraph 2 of this subsection G. and in Section 17.32.060, the maximum height of any structure shall be as follows:

a. Twenty-eight (28) feet, for lots having a slope of less than twenty percent (20%); or

b. Thirty (30) feet, for lots having a slope of twenty percent (20%) or more.

2. For a distance of fifteen (15) feet from the front lot line, the height of any structure shall not exceed twenty (20) feet as measured from finish grade; provided, however, garages and carports may be constructed to a height of fifteen (15) feet above the elevation of the center of the adjacent street when permitted by Section 17.32.070 of this title. A garage or carport in compliance with this subsection may exceed a height of thirty (30) feet, but the height of any permitted living area underneath shall not exceed thirty (30) feet from finish grade.

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

1. Front outside wall: Thirty percent (30%) articulation.

2. Side outside walls:

a. Interior side outside wall: No articulation requirement.

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

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

4. Exemptions: Single story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet shall be exempted from all articulation requirements.

I. Landscaping Requirements.

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

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

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

4. 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. ~~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 s~~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 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.

(Ord. 485 § 3, 2004; Ord. 463 § 8(part), 2002).

(Ord. No. 548, § 3, 11-1-10; Ord. No. 556, § 8, 2-22-11; Ord. No. 576, § 3, 5-19-16; Ord. No. 607, § 4, 4-7-16; Ord. No. 653 , § 13, 10-15-20)

17.10.050 ~~Design~~P ~~p~~permits.

A. Housing Development Permit. A Housing development permit issued pursuant to Chapter 17.45 of this title shall be required for housing development projects and streamlined housing development projects within the R-3 district, including duplexes.

B. Design Permit. A design permit issued pursuant to Chapter 17.42 of this title shall be required for every main structure to be constructed on a lot within an R-3 district, with the exception of single-family dwellings, ~~and duplexes~~housing development projects, and streamlined housing development projects.

(Ord. 463 § 8(part), 2002).

17.10.060 Parking.

All uses in the R-3 district shall comply with the parking regulations set forth in Chapter 17.34 of this title.

(Ord. 463 § 8(part), 2002).

17.10.070 Signs.

All advertising signs in the R-3 district shall comply with the sign regulations set forth in Chapter 17.36 of this chapter.

(Ord. 463 § 8(part), 2002).

Chapter 17.16 SCRO-1 SOUTHWEST BAYSHORE COMMERCIAL DISTRICT

Sections:

17.16.010 Purposes of chapter.

The general plan designates several areas of the city for subregional commercial/retail/office use (SCRO). The SCRO-1 Southwest Bayshore commercial district (hereinafter referred to as the Southwest Bayshore district) is one of such planning areas and is included in the zoning ordinance codified in this title to achieve the following purposes:

A. To create a zoning district for the Southwest Bayshore area that provides for orderly development consistent with the land use policies for that area as set forth in the city's general plan;

B. To encourage a mix of subregional uses and the opportunity to include mixed-uses and residential uses when appropriate;

C. To ensure that future development will be conducted in a manner that will adequately address the environmental constraints in the Southwest Bayshore district, as identified in the general plan;

D. To address historical issues of incompatible land uses; ~~and~~

E. To protect the community health and safety by establishing permit requirements, performance standards, and special findings for the establishment of uses in the Southwest Bayshore district~~.~~;

F. To provide an opportunity for multiple-family dwellings;

G. To ensure that new residential development is compatible with existing development and reflects the diversity of the community;

H To ensure adequate light, air, space, safety, quiet, and privacy for residential uses;

I. To implement and promote the goals and policies of the General Plan so as to guide and manage residential development in the city in accordance with such Plan.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.020 Permitted uses.

A. The following are permitted uses in the SCRO-1 district:

1. Emergency shelters in compliance with Section 17.16.040.

2. Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title.

3. Multiple-family dwellings;

~~5~~4. Duplexes.

~~6.~~5. Dwelling groups.

~~7~~6. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.

~~8~~7. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

~~9~~9. Small and large family day care homes.

~~10~~10. A mixed use project that meet the definition of a Housing Development Project or a Streamlined Housing Development Project as defined in Chapter 17.02.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11; Ord. No. 626, § 6, 5-17-18; Ord. No. 653 , § 18, 10-15-20)

17.16.030 Conditional uses.

A. Allowable Conditional Uses. The following conditional uses, not otherwise permitted per Section 17.16.020(A), may be allowed in the Southwest Bayshore district, upon the granting of a use permit pursuant to Chapter 17.40 of this title and if conducted in accordance with the performance standards set forth in Section 17.16.050 of this chapter:

1. Commercial recreation/commercial gym and health facilities;

2. Contractor's yards;

3. Convalescent homes;

4. Cultural facilities;

5. ~~Duplex dwelling units;~~

~~6.~~ Educational facilities;

~~7~~6. Emergency shelters with more than twelve (12) beds;

~~8~~7. Financial institutions;

~~9~~8. Food production;

9. ~~10.~~ Group care homes;

10. ~~11.~~ Hotels;

11. ~~12. Large family day care homes;~~

~~13.~~ Light fabrication;

12. ~~14.~~ Live/work developments;

13. ~~15.~~ Media studios;

~~16.~~ 14. Medical facilities;

~~17.~~ 15. Meeting halls;

~~18~~16. Mobilehome parks in compliance with Section 17.32.110;

17. ~~19.~~ Motels;

18. ~~20. Multiple-family dwellings and dwelling groups;~~

~~21.~~ Offices;

19. ~~22.~~ Outdoor sales and rental;

~~23.~~ 20. Personal services;

~~24.~~ 21. Places of worship;

~~25.~~ 22. Printing;

~~26~~23. Product showrooms;

~~27~~24. Research and development, where the planning director determines, as a result of a risk analysis performed in accordance with Policy No. 166.1 of the general plan, that the use of hazardous materials will not constitute a major component of the research and development activities to be conducted on the site. Research and development involving cannabis is additionally subject to the requirements in Chapter 17.33;

25. ~~28.~~ Restaurants;

26. ~~29.~~ Retail sales and rental;

27~~30~~. Single-family dwellings and single-family dwellings with accessory dwelling units in compliance with the provisions of Chapter 17.43 of this Title;

~~31~~28. Storage;

~~32.~~ 29. Veterinary clinics;

~~33.~~ 30. Warehousing;

~~34~~31. Single-room occupancy units.

B. Mixed Uses. ~~A~~For a mixed use project that does not meet the definition of a Housing Development Project or Streamlined Housing Development Project, as defined in Chapter 17.02, a combination of any residential and nonresidential uses listed in subsection A of this ~~section~~Section 17.16.030, or in Section 17.16.020, may be allowed as a mixed use within the same structure or upon the same site when specifically authorized by the use permit granted for each individual conditional use and upon such additional conditions as the approving authority may deem necessary or appropriate to insure the compatibility of such mixed uses.

C. Night Operations. Night operations associated with the conduct of any uses listed in subsection A of this section (except residential uses) shall require a use permit when subject to the provisions of Section 17.16.070 of this chapter.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11; Ord. No. 622, § 3, 11-16-17; Ord. No. 617, § 13, 9-7-17; Ord. No. 626, § 6, 5-17-18)

17.16.040 Development regulations.

Development regulations in the Southwest Bayshore district are as follows:

A. Lot Area. The minimum area of any lot shall be seven thousand five hundred (7,500) feet.

B. Density of Development. The minimum lot area for each dwelling unit on a site shall be as follows:

1. Single-family dwellings: Seven thousand five hundred (7,500) square feet;

2. Duplex dwellings: Three thousand seven hundred fifty (3,750) square feet;

3. Multiple-family dwellings 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.

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%).

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

~~H~~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.

~~I.~~ K. Refuse and 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~~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 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.

~~J~~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.

~~K~~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.

(Ord. 443 § 2(part), 2000).

(Ord. No. 548, § 6, 11-1-10; Ord. No. 556, § 15, 2-22-11; Ord. No. 564, § 2, 10-3-11; Ord. No. 607, § 7, 4-7-16; Ord. No. 630, § 3, 12-6-18; Ord. No. 653 , § 19, 10-15-20)

17.16.050 Performance standards.

All uses in the Southwest Bayshore district shall be conducted in accordance with the following performance standards:

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

1. Outdoor activities specifically authorized by the use permit;

2. Parking of operable vehicles related to the authorized uses conducted on the site;

3. Shipments and deliveries incidental to the conduct of the primary use on the site.

4. Emergency shelter outdoor activities as set forth in Section 17.16.040(~~J~~L)(12).

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

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

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

E. Lighting shall be designed to avoid excessive glare as viewed from offsite locations and in compliance with the California Green Building Standards Code. Lighting shall also be stationary, shielded or otherwise directed away from direct view of the light source as viewed from adjacent properties and public rights of way, and of intensity compatible with the neighborhood.

F. Site development shall minimize disturbance of existing natural slopes to the extent feasible, maintain public view corridors of the San Francisco Bay and San Bruno Mountain, minimize rooftop glare, and screen exterior mechanical equipment.

(Ord. 443 § 2(part), 2000).

(Ord. No. 556, § 16, 2-22-11; Ord. No. 564, § 2, 10-3-11)

17.16.060 Special findings.

In addition to the findings required for approval of a use permit as set forth in Section 17.40.060, no use permit shall be granted for any conditional use in the Southwest Bayshore district unless the approving authority also makes such of the following findings as may be applicable to the application:

A. Adequate measures have been taken to protect workers and residents from the twenty-four (24) hour noise generated by traffic on Bayshore Boulevard.

~~B. The design for projects with residential uses has incorporated measures to buffer the units from potential adverse impacts from nearby and adjacent non-residential uses.~~

~~C. The design for projects with residential uses includes outdoor areas, such as courts, yards or decks, securely separated from the street.~~

B.

~~D.~~ The improvements have been designed in a manner that will make adequate provision for on-site parking and traffic circulation and safe ingress to and egress from the site.

~~E~~C. The improvements have been designed to be compatible with the topography and soils of the hillside.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.070 Night operations.

A. Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as set forth below:

1. "Existing business" means a business or other use that is legally operating within the Southwest Bayshore district as of February 9, 2000, in accordance with all zoning regulations applicable thereto, and pursuant to a business license duly issued by the city.

2. "Night operations" means any activity conducted between the hours of ten (10:00) p.m. and five (5:00) a.m. of the following day.

B. Requirement for Use Permit to Conduct Night Operations. Except as otherwise provided in subsection C of this section, no business or other use, with the exception of residential uses, shall engage in the conduct of night operations at any location within the Southwest Bayshore district unless a use permit for such night operations has been granted pursuant to this chapter. The requirement for a use permit is applicable only to the commercial component of the project.

C. Continuation of Night Operations by Existing Businesses. An existing business which has lawfully been conducting night operations prior to February 9, 2000, may continue to conduct such night operations on the same site and shall be exempted from the requirement to obtain a use permit pursuant to this section. This exemption shall not apply to any relocation of the night operations to a different site, nor may the exemption be assigned or transferred by the existing business to a different business establishment or use, whether conducted on the same site or elsewhere.

D. Approving Authority. Applications for a use permit to conduct night operations shall be acted upon by the planning commission and shall be governed by the provisions of Chapter 17.40 of this title, as supplemented by this section.

E. Findings for Use Permit Approval. In addition to the findings required for approval of a use permit, as set forth in Section 17.40.060 and elsewhere in this section, no use permit shall be granted for the conduct of night operations in the Southwest Bayshore district unless the planning commission also finds and determines that the night operations conducted by the applicant will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

F. Use Permit Conditions. Without limiting the authority of the planning commission to impose conditions on the granting of a use permit pursuant to Section 17.40.070, a use permit authorizing the conduct of night operations in the Southwest Bayshore district may contain limitations on the days and hours of operation, restrictions on the nightly volume of vehicle trips, restrictions on the type of vehicles or equipment that may be operated at night, requirements for special devices and measures for abatement of noise and glare, and requirements for mitigation monitoring and periodic mandatory review. The planning commission shall have continuing jurisdiction over every use permit issued pursuant to this section and may at any time, if the original findings required for issuance of the use permit can no longer be made, modify or amend any of the use permit conditions, or impose new and additional conditions, or revoke the use permit.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.080 Parking.

Off-street parking facilities shall be provided for each use on the site in accordance with the requirements set forth in Chapter 17.34 of this title.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.090 Signs.

Signs allowed in the Southwest Bayshore district are as specified in Chapter 17.36 of this title.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.100 ~~Design review~~Permits.

A. Housing Development Permits. Housing Development Projects and Streamlined Housing Development Projects are subject to the findings in Section 17.45.040 and the objective design standards in Section 17.45.030.

B. The construction of any principal structure in the Southwest Bayshore district, except a single-family or duplex dwelling or emergency shelter as set forth in Section 17.16.040.~~J~~L or a Housing Development Project or Streamlined Housing Development Project, as defined in Chapter 17.02 and permitted by Chapter 17.45, shall be subject to the granting of a design permit in accordance with the provisions of Chapter 17.42 of this title and any applicable design guidelines adopted by the city.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

17.16.110 Visual impact analysis.

All projects, including single-family and duplex dwellings, but excluding emergency shelters as set forth in Section 17.16.040(~~J~~),L) and Housing Development Projects and Streamlined Housing Development Projects as

defined in Chapter 17.02, shall submit a visual impact analysis, in accordance with guidelines approved by the planning commission, to address the following design issues: relationship to steep slopes; public view corridors; view of San Francisco Bay and San Bruno Mountain; material and lighting, especially as pertains to light and glare; treatment of roofs and the screening of mechanical equipment.

(Ord. 443 § 2(part), 2000).

(Ord. No. 564, § 2, 10-3-11)

Chapter 17.42 DESIGN PERMITS

Sections:

17.42.010 ~~Requirement for design permit~~Applicability.

A. Except as otherwise provided in subsection B of this section, a design permit shall be required for the construction of any new principal structure or the substantial modification of an existing principal structure for which no design permit has previously been issued. As used herein, the term "substantial modification" means an alteration or expansion of the exterior and/or interior of the structure to the extent of significantly modifying its basic design, elevations, size, appearance, or relationship to adjacent properties or structures, as determined by the planning director.

B. No design permit shall be required for the construction or substantial modification of any single-family dwelling, ~~secondary~~accessory dwelling unit, junior accessory dwelling unit, duplex, or accessory structure, unless part of a dwelling group totaling three (3) or more units or part of a mixed use development, or a design permit for such structure has been required as a condition of a development approval granted by the city. No design permit shall be required for the construction or substantial modification of an emergency shelter of twelve (12) beds or less, as set forth in Section 17.16.040(J).

C. No design permit shall be required for housing development projects or streamlined housing development projects, as defined in Chapter 17.02; provided, however, housing development projects and streamlined housing development projects are subject to the housing development permit requirements set forth in Chapter 17.45.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

17.42.020 Application for design permit.

A. Contents of Application. Application for a design permit shall be filed with the planning director on such form as the planning director shall prescribe. The application shall be accompanied by legible and reproducible sets of completely dimensioned, scaled site development and architectural plans, with bar scales, showing such of the following items as the planning director deems appropriate in order to evaluate and process the application:

1. Existing and/or proposed structures with floor plans (with the use of each room/space labeled), roof plans, and elevations of all sides of the existing and/or proposed structures, identifying colors and materials as appropriate, indicating the height from natural and/or finish grade on each elevation of the tallest points of the structure (cross-sections may also be required based upon the complexity of the design), and including UBC type of construction;

~~2. For covered projects as defined by Section 15.80.030, green building documentation per Section 15.80.060(A) sufficient to be approved per Section 15.80.060(C).~~

~~3~~2. Accurately dimensioned property lines, setbacks, structures on adjacent properties (and their uses), streets, easements, existing and proposed utilities, and building coverage and lot area calculations;

~~4~~3. Location of existing trees by size (circumference measured twenty-four (24) inches above grade) and type, indicating those proposed for removal;

~~5~~4. Conceptual landscaping plans showing species, common name, size and number of plantings, with description of proposed plantings (height at maturity, time to maturity, color, drought/wind/salt tolerance, and deciduousness), calculation of the total square footage of proposed irrigated landscaped area and explanation of proposed method of irrigation;

~~6~~5. Existing and proposed parking facilities, including the dimensions of parking spaces, number and location of spaces designated as compact or handicapped spaces, and a calculation of the number of parking spaces required by this title or any other applicable regulations;

~~7~~6. Paving details, improved street width (curb-to-curb), sidewalks, and driveway cuts;

~~8~~7. Existing and proposed topography of the property (at five (5) foot intervals), clearly indicating any proposed grading and filling and the amounts in cubic yards of proposed excavation, fill and removal from the site. If requested by the planning director, a soils report and/or geotechnical study shall also be furnished;

~~9~~8. Drainage details, exterior lighting, trash enclosures, signs, fences and method of screening exterior mechanical equipment (including rooftop air-conditioning units, transformers and public utilities);

~~10~~9. Material and color samples and colored rendering of the project;

~~11~~10. Photographs of the Site. Photomontages of the proposal may also be required dependent upon the visual significance of the proposal.

B. **Application Fee**. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council. In addition to the processing fee, the applicant shall also deposit such amounts as the planning director may require from time to time to cover the cost of any environmental investigations or reports, ~~geotechnic~~geotechnical and engineering reports, review of green building documentation, and such other investigations and reports that may be required by the city in connection with the processing of the application.

C. **Newly Constructed Condominiums**. In addition to the information listed in this section, an application for a design permit for newly constructed condominiums, as defined in BMC 17.30.020(A), shall also include the materials ~~stipulated~~ set forth in Section 17.30.040.

(Ord. 524 § 4, 2007: Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11; Ord. No. 612, § 19, 12-8-16)

17.42.030 Public hearing by planning commission—Notice.

The planning commission shall conduct a public hearing on the application for a design permit. Notice of such hearing shall be given as set forth in Chapter 17.54.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11; Ord. No. 612, § 20, 12-8-16)

17.42.040 Findings required for issuance of design permit.

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

~~A~~A. The proposed development is consistent with the General Plan and any applicable specific plan.

B. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.

~~B~~C. The orientation and location of buildings, structures, open spaces and other features integrate well with each other and maintain a compatible relationship to adjacent development.

~~C~~D. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses.

~~D~~E. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.

~~E~~F. For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact. Significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park are preserved.

~~F~~G. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.

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

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

~~I~~J. The proposal takes reasonable measures to protect against external and internal noise.

~~J~~K. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.

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

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

~~M~~N. Provisions have been made to meet the needs of employees for outdoor space.

(Ord. 449 § 1(part), 2000).

(Ord. No. 556, § 27, 2-22-11; Ord. No. 564, § 3, 10-3-11)

17.42.045 Special findings.

A. The planning commission may deny a design permit for a proposed housing development project, or approve it upon the condition that the project be developed at a lower density, even though the project complies with applicable general plan and zoning standards and design review criteria in effect at the time the application is determined to be complete, subject to both of the following findings, supported by substantial evidence in the record:

1. The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density.

2. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than through disapproval or approval upon the condition that the project be developed at a lower density.

B. In addition to the findings above, the planning commission may deny a design permit for a proposed housing development project for very low, low-, or moderate-income households or condition approval in a manner that renders development of such a project infeasible, subject to at least one of the following findings, supported by substantial evidence in the record:

   1. The city has met or exceeded its share of the regional housing need allocation for the planning period for each of the income categories proposed for the housing development project as identified in the housing element.

   2. The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

   3. The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

   4. The development project is proposed on land which does not have adequate water or wastewater facilities to serve the project.

   5. The development project is inconsistent with both the zoning ordinance and general plan land use designation as of the date the application was deemed complete, and the project is not proposed for a site that is identified as suitable for very low, low-, or moderate-income households in the housing element and is inconsistent with the density specified in the housing element.

C. As used in this section, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as of the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

D. Any disapproval or conditional approval of a design permit for a proposed housing development project for very low, low-, or moderate-income households shall not discriminate on the basis of any of the reasons prohibited by California Government Code Section 65008.

(Ord. No. 564, § 3, 10-3-11)

17.42.050 Action by planning commission.

A. The planning commission may either grant or deny the application for design permit and may grant the permit subject to such conditions as the planning commission deems necessary or appropriate in order to make the findings prescribed by Section 17.42.040.

B. The design permit shall become effective upon the expiration of fifteen (15) days following the date on which the design permit was granted by the planning commission, unless an appeal has been taken to the city council pursuant to Chapter 17.52 of this title.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

17.42.060 Expiration of design permit—Extensions.

A. A design permit granted pursuant to this chapter shall expire twenty-four (24) months from the date on which such permit became effective, unless prior to such expiration date a building permit for the structure which is the subject of the permit is issued and construction is commenced.

B. A design permit may be extended by the planning commission for a period or periods of time not exceeding thirty-six (36) months. The application for extension shall be filed prior to the expiration date of the permit and shall be accompanied by payment of a processing fee in such amount as established from time to time by resolution of the city council. A public hearing shall be conducted on the application for extension and notice thereof shall be given in the same manner as prescribed in Section 17.42.030 of this chapter. Extension of a design permit is not a matter of right and the approving authority may deny the application or grant the same subject to conditions.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

17.42.070 Amendment of design permit—Minor modifications.

A. Amendments or modifications to a design permit shall require approval by the planning commission, except that the zoning administrator shall have authority to approve the following matters:

1. Any items which, under the terms of the design permit, have been delegated to the zoning administrator for approval, either as a condition for issuance of the permit or at any time thereafter;

2. Minor changes during the course of construction which do not materially affect the use, nature, appearance, quality or character of the project.

B. The application requirements, public hearing procedures and findings required for amendments or modifications to a design permit shall be as prescribed in Sections 17.42.020, 17.42.030 and 17.42.040 of this chapter.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

17.42.080 Appeals to city council.

Any determination or decision by the planning commission under this chapter may be appealed to the city council in accordance with the procedure set forth in Chapter 17.52 of this title.

(Ord. 449 § 1(part), 2000).

(Ord. No. 564, § 3, 10-3-11)

Chapter 17.45 Housing Development Permits.

17.45.010 Applicability.

A. Except as otherwise provided in subsection B of this section, a housing development permit shall be required for the construction of any new principal structure that meets the definition of a Housing Development Project or a Streamlined Housing Development Project, as defined in Chapter 17.02.

B. No housing development permit shall be required for the construction or substantial modification of a single-family dwelling, accessory dwelling unit, or junior accessory dwelling unit, unless part of a dwelling group totaling three (3) or more units. No housing development permit shall be required for the construction or substantial modification of a duplex, unless the duplex is located in the R-3 Zoning District.

C. The Community Development Director shall determine applicability of this Section within 30 days of submittal of a complete housing development permit application.

17.45.020 Application.

A. Contents of Application. Applications for a housing development permit shall be filed with the planning director on such form as the planning director shall prescribe. The application shall be accompanied by legible and reproducible sets of completely dimensioned, scaled site development and architectural plans, with bar scales, showing such of the following items as the planning director deems appropriate in order to evaluate and process the application:

1. Existing and/or proposed structures with floor plans (with the use of each room/space labeled), roof plans, and elevations of all sides of the existing and/or proposed structures, identifying colors and materials as appropriate, indicating the height from natural and/or finish grade on each elevation of the tallest points of the structure (cross-sections may also be required based upon the complexity of the design), and including UBC type of construction;

2. Accurately dimensioned property lines, setbacks, structures on adjacent properties (and their uses), streets, easements, existing and proposed utilities, and building coverage and lot area calculations;

3. Location of existing trees by size (circumference measured twenty-four (24) inches above grade) and type, indicating those proposed for removal;

4. Conceptual landscaping plans showing species, common name, size and number of plantings, with description of proposed plantings (height at maturity, time to maturity, color, drought/wind/salt tolerance, and deciduousness), calculation of the total square footage of proposed irrigated landscaped area and explanation of proposed method of irrigation;

5. Existing and proposed parking facilities, including the dimensions of parking spaces, number and location of spaces designated as compact or handicapped spaces, and a calculation of the number of parking spaces required by this title or any other applicable regulations;

6. Paving details, improved street width (curb-to-curb), sidewalks, and driveway cuts;

7. Existing and proposed topography of the property (at five (5) foot intervals), clearly indicating any proposed grading and filling and the amounts in cubic yards of proposed excavation, fill and removal from the site. If requested by the planning director, a soils report and/or geotechnical study shall also be furnished;

8. Drainage details, exterior lighting, trash enclosures, signs, fences and method of screening exterior mechanical equipment (including rooftop air-conditioning units, transformers and public utilities);

9. Material and color samples and colored rendering of the project;

10. Photographs of the Site. Renderings of the proposal may also be required dependent upon site circumstances.

B. **Application Fee**. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council. In addition to the processing fee, the applicant shall also deposit such amounts as the planning director may require from time to time to cover the cost of any environmental investigations or reports, geotechnical and engineering reports, review of green building documentation, and such other investigations and reports that may be required by the city in connection with the processing of the application.

C. **Newly Constructed Condominiums**. In addition to the information listed in this section, an application for a housing development permit for newly constructed condominiums, as defined in 17.30.020(A) of this Title, shall also include the materials stipulated in Section 17.30.040.

B. **Streamlined Housing Development Projects.** Applications for Streamlined Housing Development Projects shall include additional supporting documentation to demonstrate eligibility as set forth on a form prescribed by the city.

17.45.030 Objective Standards.

Housing development projects and streamlined housing development projects must be consistent with each of the objective design standards below. Supplementary Housing Development Design Guidelines may be established and may be used as a supplement to these objective standards:

A. Site design.

1. A minimum of one (1) main exterior pedestrian entrance shall be publicly visible per building. Buildings entirely located greater than 50’ from front property line are excluded from this requirement if another building on that site has at least one main publicly-visible exterior pedestrian entrance.

2. At least 50% percent of any street-facing, ground-floor facade shall be parallel to the street.

B. Roof design. Rooflines shall be articulated at least every 50 feet along the street frontage. For purpose of this standard, roofline articulation can be achieved through the use of architectural elements such as parapets, varying cornices, reveals, clerestory windows, and varying roof height, roof planes, special treatment of corner elements, and/or form.

C. Materials.

1. Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

2. Buildings over two stories must provide a ground floor elevation that is distinctive from the upper stories by providing a material change between the first floor and upper floors along at least 75% of the building façade with frontage upon a street, adjacent public park, or public open space.

3. Buildings shall carry the same theme on all elevations. For the purposes of this standard, a theme includes primary (non-accent) materials and colors.

4. Exterior materials and finishes shall be consistent with the proposed architectural style.

5. Exterior primary (non-accent) materials and finishes shall be durable and have a demonstrated service life of at least 30 years (e.g. a warranty period provided by its installer).

6. At least two materials shall be used on any building frontage, in addition to glazing, trim, railings, and any visible roofing or building skirt materials.

7. For buildings in the SCRO-1 District, durable and highly resistant building base materials, such as precast concrete, brick, stone masonry, and commercial grade ceramic, shall be selected to withstand pedestrian traffic.

8. Materials for roofing, buildings, and windows shall be consistent with the Community Development Department's Supplemental Housing Development Design Guidelines.

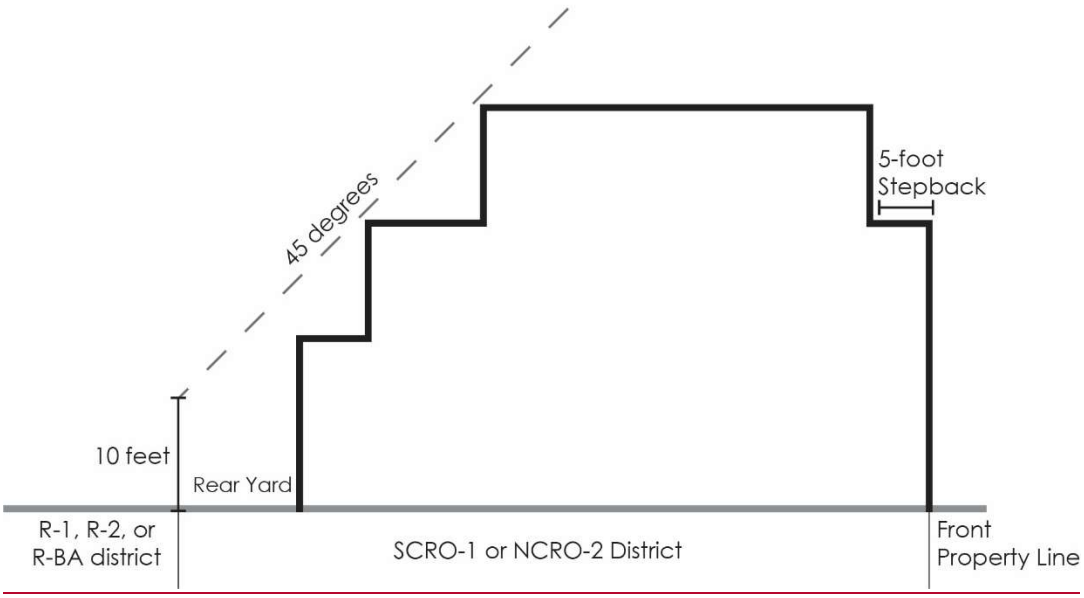
D. **Window design.** Window trim of at least one inch width shall be provided at all exterior window and door openings. In lieu of exterior window trim, windows may be recessed from wall plane by a minimum of three inches.

E. **Stepbacks.** For buildings in the SCRO-1 District:

1. **Front:** Structures shall include a 5-foot minimum front step-back for the 3rd story or any floor above 25 feet along at least 30% of the frontage, and a 10-foot minimum front step-back for the 4th story or any floor above 35 feet in height. For corner lots, the stepped back portion of the structure shall be located away from the corner, defined as the portion of the structure that faces the intersection of two public rights of way, in order to add emphasis to architectural corner elements.

2. **Rear and interior side:** Structures shall not intercept a forty-five-degree inclined plane inward from a height of ten feet above existing grade at any rear or interior lot line adjoining an R-1, R-2, or R-BA district.

Figure 17.45.030-1 SCRO-1 Stepbacks

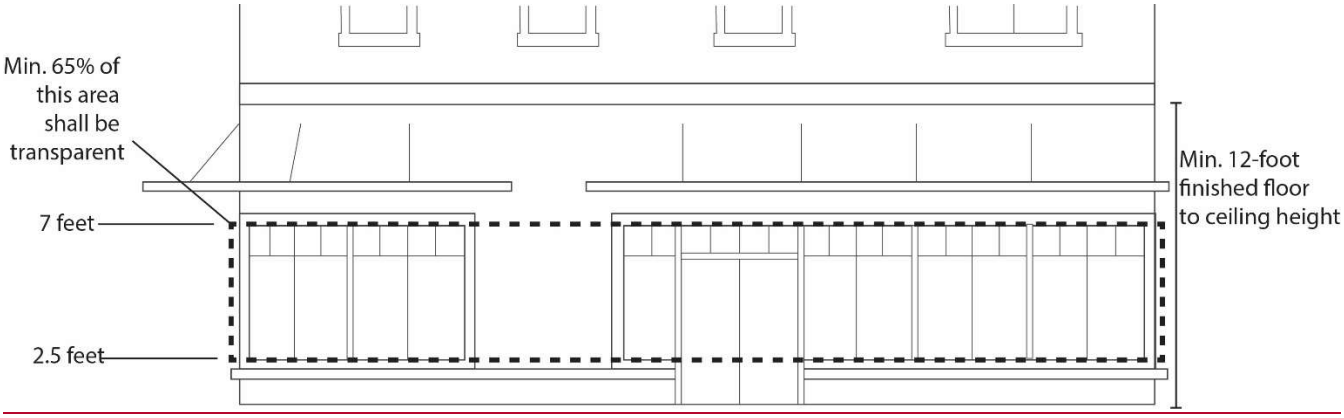


F. **Ground Floor Requirements.**

1. **Minimum Height**. Any ground floor associated with a non-residential use shall have a minimum finished floor to ceiling height of 12 feet.

2. **Ground Floor Transparency.** The ground-floor street-facing building walls of non-residential uses shall provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage located between 2½ and 7 feet above the sidewalk. Ninety percent of the transparent windows or doors area shall remain clear to allow views into the building. The transparent area shall be maintained and not obscured. Street-facing areas used as parking structures or garage doors are exempt from this requirement, but are subject to the design requirements in subsection H(3) below.

Figure 17.45.030-2 Ground Floor Requirements



G. Massing and articulation.

1. A minimum of one architectural feature, such as balconies, cantilevers, dormers, bay windows, patios, and individualized entries, shall be incorporated into each building.

2. Blank walls (façades without doors, windows, landscaping treatments) shall be less than 15 feet in length along sidewalks, pedestrian walks, or publicly accessible outdoor space areas.

3. **Articulation Requirements.** For purposes of this chapter, articulation shall be defined as a minimum of twelve inches of offset in plane, as defined in Section 17.02.050(A). 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:

   a. Front outside wall: Thirty percent (30%) articulation of total wall area.

   b. Side outside walls:

      i. Interior 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 interior side outside wall shall be twenty percent (20%) of total wall area. No articulation shall be required for the interior side outside wall of structures located on lots having an average width of less than forty (40) feet.

      ii. 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%) of total wall area. 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.

   c. Rear outside wall: Thirty percent (30%) articulation of total wall area.

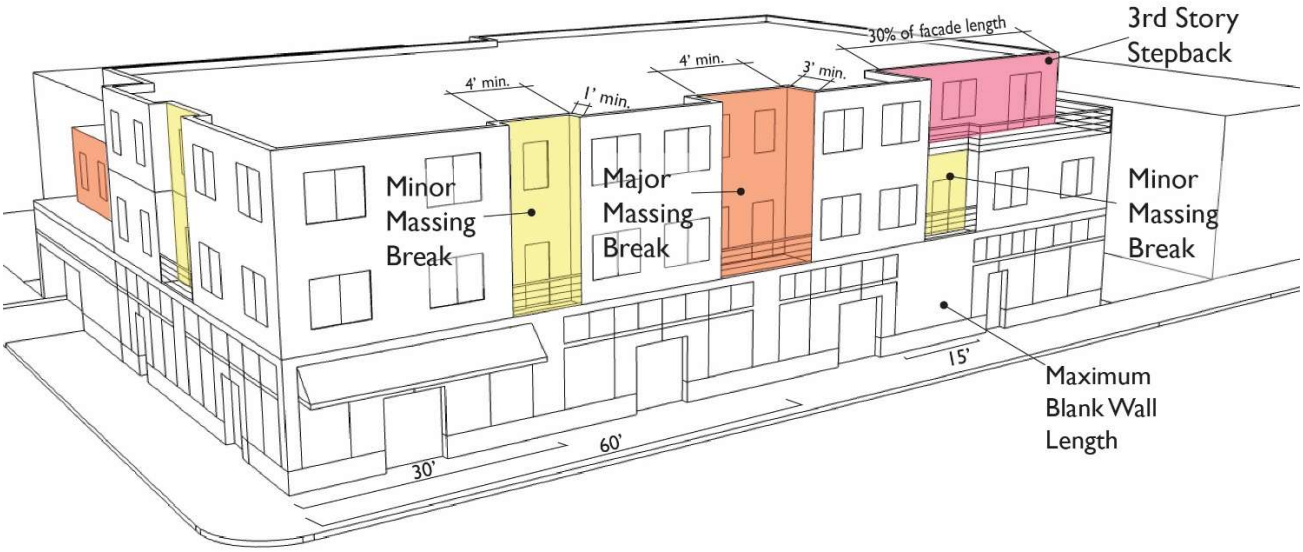
d. **Exemptions.** Single-story two (2) car garages and accessory structures not exceeding a floor area of one hundred twenty (120) square feet. Parking structures are exempt but subject to the articulation requirements in subsection H(3) below.

4. **Massing Breaks.** Massing breaks, as described below, shall be required for buildings with street frontage of 30 feet or greater. Ground floor non-residential uses shall be exempt from massing break requirements.

a. **Minor.** Buildings shall have minor massing breaks at least every 30 feet along the street frontage, through the use of varying setbacks, building entries and recesses, or structural bays. Minor breaks shall be a minimum of one foot deep and four feet wide and extend the full height of the building.

b. **Major**. Buildings shall have major massing breaks at least every 60 feet along any street frontage, adjacent public park, publicly accessible outdoor space, or designated open space, through the use of varying setbacks and/or building entries. Major breaks shall be a minimum of three feet deep and four feet wide and extend the full height of the building.

Figure 17.45.030-3 Articulation and Massing Breaks



H. Parking design and location.

1. General Location. Parking shall be located out of public view wherever feasible.

2. **Uncovered Parking.**

a. **Location**. Uncovered parking lots shall be located out of public view or screened as set forth below.

b. Lighting. All parking lot lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences.

c. **Screening.** Uncovered parking areas shall be screened from view from public streets and adjacent lots in the R-1, R-2, or R-BA Districts, according to the following standards:

i. **Screening from Residential Districts.** Screening of parking lots along interior lot lines that abut an R-1, R-2, or R-BA District shall be eight feet in height. If landscaping is used as a screening material along an interior lot line, it must also be a minimum of 3 feet in width. Screening materials may consist of fencing or planting. Plant materials shall consist of compact evergreen plants that form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

ii. **Screening from Public Streets.** Screening of parking lots from adjacent public streets shall be three feet in height. Screening may consist of one or any combination of the methods listed below:

(a) **Walls.** Walls consisting of brick, stone, stucco, or other quality durable material approved by the Director, and including a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Director.

(b) **Fences.** An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

(c) **Planting.** Compact evergreen plants that form an opaque screen. Such plant materials must achieve a minimum height of two feet within eighteen months after initial installation.

(d) **Berms**. Berms planted with grass, ground cover, or other low-growing plant materials.

(e) **Exception.** Screening shall not be required for uncovered tandem parking located within a driveway in the R-3 District.

3. **Covered Parking.**

a. **Location: Parking Garages**. Parking Garages may be located in an area that is publicly visible, provided that the design standards below are met.

b. Design. The following design features shall be incorporated into all covered parking structures.

i. Garages and carports shall be designed to include a minimum of two of the following from the main building(s): materials, detailing, roof materials, and colors.

ii. Carport support posts shall be a minimum of eight inches (8”) square and exposed steel columns and posts are prohibited. At least one material from the primary structure shall be included in the carport design.

iii. Parking structures or garage entrances shall not occupy more than 60% of the building width of any front elevation facing a Front Lot line in the SCRO-1 District.

iv. Parking structure exterior walls shall not present a solid unbroken wall surface. Walls greater than 40 feet in length shall include articulation, landscaping, or textured treatments over 25% of the total wall area at minimum.

v. Ventilation openings shall be screened, for example with decorative grille work or landscaping.

4. **Bicycle Parking**. Where bicycle parking is not visible from the street, directional signage shall be included at the main building entrance.

I. Accessory elements.

1. Perimeter fencing utilized along public streets shall be constructed of decorative iron, pre-painted welded steel, or wood material. Chain link fencing, vinyl fencing, and expanded metal panels are prohibited.

2. Roof top equipment shall be screened from visibility. The point of view for determining visibility shall be five feet above grade at a distance of 200 feet. If the roof structure does not provide this screening, include an equipment screen in the design.

3. All exterior trash, recycling, and storage utility boxes, wood service poles, electric and gas meters, fire sprinkler valves and backflow preventers and transformers shall be screened from visibility.

J. **Additional objective standards within Title 17.** Projects subject to this chapter must comply with all other applicable objective standards within Title 17 including, but not limited to:

1. Development regulations including lot area, density of development, lot dimensions, setbacks, lot coverage, height of structures, landscaping requirements, and additional screening requirements, recycling area requirements not covered in this chapter include:

a. Development regulations as indicated for the R-2 District in 17.08.040,

b. Development regulations as indicated for the R-3 District in 17.10.040,

c. Development regulations as indicated for the SCRO-1 District in 17.16.040

2. Parking standards as indicated in Section 17.34.

3. Signage standards as indicated in Section 17.36

17.45.040 Findings.

A. The Zoning Administrator may approve a housing development permit subject to the following finding:

1. The project conforms to the objective design standards established in Section 17.45.045 and throughout Title 17 and conforms to the development standards of the zoning district in which the project is located.

B. **Findings for denial.** The Zoning Administrator may deny a housing development permit, or approve upon the condition that the project be developed at a lower density, subject to the following findings and supported by substantial evidence in the record:

1. The project does not comply with applicable objective general plan and zoning code objective standards in effect at the time the application has been determined to be deemed complete.

2. The housing development project would have a specific, adverse impact upon the public health or safety.

3. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than through disapproval or approval upon the condition that the project be developed at a lower density.

4. **Affordable Housing.** In addition to the findings above, the Zoning Administrator may deny a housing development permit for a proposed housing development project for very low, low-, or moderate-income households or condition approval in a manner that renders development of such a project infeasible, subject to at least one of the following findings, supported by substantial evidence in the record:

a. The city has met or exceeded its share of the regional housing need allocation for the planning period for each of the income categories proposed for the housing development project as identified in the housing element.

b. The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

c. The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

d. The development project is proposed on land which does not have adequate water or wastewater facilities to serve the project.

e. The development project is inconsistent with both the zoning ordinance and general plan land use designation as of the date the application was deemed complete, and the project is not proposed for a site that is identified as suitable for very low, low-, or moderate-income households in the housing element and is inconsistent with the density specified in the housing element.

C. As used in this section, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as of the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

D. Any disapproval or conditional approval of a housing development permit for a proposed project for very low, low-, or moderate-income households shall not discriminate on the basis of any of the reasons prohibited by California Government Code Section 65008.

17.45.050 Action by the Zoning Administrator.

A. The Zoning Administrator may either grant or deny the application for housing development permit subject to the required findings under Section 17.45.040, as applicable to the project type, and may grant the permit subject to such conditions as the Zoning Administrator deems necessary or appropriate.

B. The Zoning Administrator shall provide notice of the application and publish a staff report with a recommended decision to grant or deny a housing development permit 14 days prior to a decision on a housing development permit. The notice of the application shall be given to all owners of property within three hundred (300) feet of the exterior boundaries of the subject property.

C. If no public comments objecting to staff's analysis of an application's consistency with objective standards are received within 14 days of the date of notice of application, the Zoning Administrator shall act on the application consistent with the recommendation contained in the staff report.

D. If public comments objecting to staff's analysis of consistency with objective standards are received, the Zoning Administrator shall hold a public meeting to review the application and consistency analysis. Notice of the meeting shall be given to all owners of property within three hundred (300) feet of the exterior boundaries of the subject property. The notices shall be mailed not less than ten (10) or more than thirty (30) days before the date of the meeting.

E. The housing development permit shall become effective upon the expiration of ten (10) days following the date on which the housing development permit was granted by the Zoning Administrator, unless an appeal has been filed pursuant to Chapter 17.52 of this Title.

F. Streamlined housing development projects are exempt from the notice of application requirement above, and only a notice of decision shall be given to property owners within three hundred feet of the exterior boundaries of the subject property. Streamlined housing development projects shall be subject to the approval time limits described in California Government Code §65913.4, or successor provisions.

17.45.060 Expiration of a housing development permit--Extensions.

A. A housing development permit granted pursuant to this chapter shall expire twenty-four (24) months from the date on which such permit became effective, unless prior to such expiration date a building permit for the structure which is the subject of the permit has been issued.

B. A housing development permit may be extended by the Zoning Administrator for a period or periods of time not exceeding thirty-six (36) months. The application for extension shall be filed prior to the expiration date of the permit and shall be accompanied by payment of a processing fee in such amount as established from time to time by resolution of the city council. Public notice thereof shall be given in the same manner as prescribed in Section 17.45.060 of this chapter. Extension of a housing development permit is not a matter of right and the Zoning Administrator may deny the application or grant the same subject to conditions. Streamlined housing development projects shall be subject to the procedures and expiration described in California Government Code §65913.4, or successor provisions.

17.45.070 Amendment of a housing development permit—Minor Modifications.

A. Amendments or modifications to a housing development permit shall require approval by the Zoning Administrator. The application requirements, objective standards and findings required for amendments or modifications to a housing development permit shall be as prescribed in Sections 17.45.020, 17.45.030 and 17.45.040 of this chapter.

B. Notwithstanding the above, streamlined housing development projects shall be subject to the modification standards described in California Government Code §65913.4, or successor provisions.

Chapter 17.56 ADMINISTRATION

Sections:

17.56.010 Zoning administrator—Function created.

There is created the function of zoning administrator which shall be carried out by the planning director.

(Ord. 253 § 15.1(A), 1984).

17.56.020 Zoning administrator—Powers and duties.

The zoning administrator shall have all the powers and duties of a board of zoning adjustment as set forth in Section 65900 through 65909 of Article 3 of Chapter 4 of Title 7 of the Government Code of the state.

(Ord. 253 § 15.1(B), 1984).

17.56.030 Zoning administrator—Action on applications.

A. Except as otherwise provided in this chapter, the zoning administrator shall hear and decide the following:

1. Applications for zoning conformance;
2. Applications for variances;
3. Applications for minor modifications;
4. Applications for certain sign permits, in accordance with the provisions of Chapter 17.36 of this title;
5. Applications for administrative permits for wireless telecommunication facilities, in accordance with the provisions of Section 17.32.032 of this title;
6. Applications for administrative permits for solar energy systems, in accordance with the provisions of Section 17.32.060(C);
7. Applications for accessibility improvement permits, in accordance with the provisions of Sections 17.32.060(D), 17.32.070(A)(1)(f) and 17.32.080;
8. Applications for large family day care homes, per State Health and Welfare Code Sections 1597.46(a)(3) and 1597.465; and
9. Applications for amendments or modifications to a design permit, per Section 17.42.070.
10. Applications for housing development permits, per Chapter 17.45.

B. In connection with the applications provided for in this section, the zoning administrator shall have all the duties and responsibilities set forth in this title for the planning commission.

(Ord. 508 § 3, 2005; Ord. 417 § 8, 1997: Ord. 401 § 2, 1995: Ord. 253 § 15.1(C), 1984).

(Ord. No. 564, § 4, 10-3-11)

17.56.040 Zoning administrator—Reporting decisions to planning commission.

All decisions of the zoning administrator, except decisions relating to the granting or denial of a sign permit pursuant to Chapter 17.36, shall be reported to the planning commission prior to the expiration of the appeal

period. If any member of the planning commission desires to appeal the decision it shall be considered appealed and placed on the next commission agenda.

(Ord. 401 § 3, 1995: Ord. 298 § 15.1(F), 1984).

17.56.050 Zoning administrator—Variances.

A. The zoning administrator shall be governed by the provisions of this title in the granting of variances and shall grant the same only when making the findings required by the pertinent provisions of this title.

B. The zoning administrator may refer any applications for a variance directly to the planning commission without holding a hearing or without making a decision thereon, and the planning commission shall then proceed to hear such applications as provided in this title.

(Ord. 417 § 9, 1997: Ord. 298 § 15.1(D), (E), 1984).

17.56.070 Zoning administrator—Variance granting.

The zoning administrator shall use the procedure and make findings required by the provisions of Chapter 17.46 prior to granting a variance.

(Ord. 298 § 15.4, 1984).

17.56.080 Zoning conformance.

Zoning conformance shall be determined in conjunction with and as a part of, building permits and shall be so indicated by the zoning administrator if it has been determined that any proposed construction is in conformity with the regulations for the district in which the construction is to be located. No building permit shall be issued until the zoning conformance portion thereof has been completed by the zoning administrator or his authorized representative.

(Ord. 298 § 15.2, 1984).

17.56.090 Minor modifications.

A. Defined. For the purpose of this section, "minor modifications" means:

   1. A maximum of twenty percent (20%) reduction in lot area, building coverage and yard requirements;

   2. A maximum of twenty percent (20%) increase in the height limit in fence, wall and hedge requirements.

B. Granting. The zoning administrator shall use the procedure and make the findings required by the provisions of Chapter 17.46 prior to granting a minor modification; provided, however, a public hearing shall not be required.

C. Notices. Notice of approval of minor modifications approved by the zoning administrator shall be mailed to owners of property within seventy-five (75) feet of the exterior boundaries of the subject property. The property owners shall be informed of their right of appeal.

D. Fees. Filing fees for minor modifications shall be as set by the city council.

(Ord. 298 § 15.5, 1984).

17.56.100 Appeals.

A. Appeals from the decision of the zoning administrator, except decisions related to Housing Development Permits per Chapter 17.45 of this Title, may be made to the planning commission within seven (7) days after the action of the zoning administrator. Upon receipt of an appeal, the zoning administrator shall forward the same, together with the records on the matter, to the planning commission. The secretary to the planning commission shall set the matter for hearing before the planning commission at the earliest available date and cause notice of such hearing to be given as set forth in Chapter 17.54. The planning commission shall consider the matter in the same manner as an application for a variance.

~~A.~~B. Appeals from decisions of the zoning administrator related to Housing Development Permits per Chapter 17.45 of this Title shall be made to the city council within seven (7) days after the action of the zoning administrator and shall follow the procedure set forth in Chapter 17.52.

(Ord. 298 § 15.6, 1984).

17.56.110 Variances—Effective date.

No variance granted by the zoning administrator shall have any force or effect until the applicant thereof actually receives such variance signed by the zoning administrator and designating thereon any conditions of its issuance that may have been imposed by the zoning administrator. No variance shall be issued until the time for filing an appeal from the decision of the zoning administrator has expired or, in the event of such appeal, until after a final decision has been rendered on the appeal by the planning commission, or by the city council in the event of a further appeal from the decision of the planning commission.

(Ord. 417 § 11, 1997: Ord. 298 § 15.7, 1984).

CITY COUNCIL AGENDA REPORT

Meeting Date: January 20, 2022

From: John Swiecki, Community Development Director

Subject: Objective Design and Development Standards - Draft Ordinance

Community Goal/Result

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

Purpose

To comply with state housing law by amending the Brisbane Municipal Code (BMC) to establish objective design and development standards for housing development projects; allow multiple family dwellings in the SCRO-1 District by right; allow multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; establish residential density standards for the NCRO-2 Zoning District; and establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

Recommendation

1. That the City Council introduce the Ordinance (Attachment 1) and waive the first reading.

Background

Due to several changes in State Law since 2017, specifically Senate Bill 35 and the Housing Accountability Act, California cities must streamline the process for reviewing certain housing development proposals. In general, State law limits the City's discretion in reviewing housing projects to verifying that they comply with objective development standards (ODDS). ODDS provide predictability to the community and developers upfront in the development process, and require no interpretation or personal judgment, as opposed to subjective standards that require interpretation and may cause different people to disagree based on personal perspectives.

If the City does not adopt ODDS, the City will have very little control over the design of new housing developments. The Planning Commission would continue to review projects under the current Design Review regulations but would not be able to deny or reduce the number of units within housing development proposals based on noncompliance with subjective Design Review findings. For certain projects submitted to the City under SB 35 streamlining, the City would be required to review the application under a ministerial process, without any discretionary review

or local guidance on design and standards. Adopting ODDS will allow the City "front-load" housing development standards and to promote high-quality design in new housing development projects in the absence of a discretionary process.

In 2019 the State made grant funds available to cities to cover the cost of compliance with these new requirements, and the City applied for and obtained grant approval. The City hired consultants Good City Co. in August 2020 for the ODDS Program. Major tasks included community outreach to understand the community's design preferences, studies of opportunities and constraints to residential development in zoning districts with subjective development standards, and drafting updated zoning ordinance language.

Study sessions were held at the Planning Commission in February 2021 and City Council in July 2021. The Planning Commission considered the draft ordinance at its meetings of October 28 and November 16, 2021. The attached draft Ordinance (Attachment 1) was unanimously (5 ayes) recommended for Council adoption by the Commission at its November 16, 2021 meeting. The Commission's resolution of approval, agenda reports and minutes from the October 28 and November 16 meetings are attached for Council reference (Attachment 3).

Community Outreach

As described in attached Planning Commission staff reports, the City and consultant team conducted an extensive community engagement program throughout 2021 which included:

- Visual Preference Survey: January 2021
- Introductory Community Workshop: April 6, 202
- Objective Standards Photo Survey: July-August 2021
- Pop-up Open House at the Famers Market: August 12, 2021
- Pop-up Open House at the Brisbane Library: August 16-31, 2021
- A virtual walking tour of objective standards and design elements in neighboring Peninsula cities, video and maps released July 1, 2021

Through these outreach activities, the community indicated support for upper-level step-backs, articulation, usable outdoor space along street, variation of material, color, and texture, and generous storefront glazing. The Draft Ordinance has incorporated community outreach results into the objective standards, to ultimately create housing projects designed around community preference.

Discussion

The draft ordinance would:

- establish objective design and development standards for housing development projects;
- establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

- allow multiple family dwellings in the SCRO-1 District by right; allow multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right;
- and establish residential density requirements for the NCRO-2 Zoning District.

Below is a brief summary of the proposed amendments. Further description is included in the Planning Commission staff reports included in Attachment 3.

Establishment of Objective Design and Development Standards

The draft ordinance includes new provisions (Section 17.45.030 of the Draft Ordinance in Attachment A) related to objective design and development standards that housing development projects are required to meet. These include:

- Massing and Articulation. Requires recesses and projections in the front, street side, and rear building facades that add visual interest to the building design.
- Stepbacks. Requires increased setbacks for the upper stories of buildings, thereby requiring them to "step back" and decrease the perceived height of a building from a pedestrian's vantage point.
- Ground Floor Requirements. Includes transparency requirements and a minimum height for non-residential ground floor uses to create an active pedestrian environment in mixed use districts.
- Materials. General regulations for building materials are included, such as requiring a change in materials between the ground floor and upper stories, carrying the same materials on all elevations, requiring consistency of materials with the architectural style, and requiring that durable materials are used.
- Parking Design Standards. Establishes parking design standards to minimize the visual prominence of covered and uncovered parking areas.
- Open Space Requirements. Functional usable open space would be required for housing development projects consistently across zoning districts.

Housing Development Permit Procedure

The Draft Ordinance establishes a new review process, called Housing Development Permits (HDP). The approval authority for the HDP would be the Zoning Administrator (ZA) and the process would involve public notification and a published staff report analyzing a project's consistency with objective standards. A public meeting would be held if there is public objection to the staff determination. If no objections are received, the Zoning Administrator may take action without a public meeting. As State Law has limited the power of decision-making bodies and the public to modify or deny Housing Development Projects that comply with objective standards, these procedural changes intend to balance providing the public with information about new projects without imposing subjective review that is inconsistent with state law.

Permit multiple family dwelling units in SCRO-1 and NCRO-2 Districts by right.

Uses are considered to be permitted "by-right" if the development may proceed under zoning and local land use regulations without the need for a special permit, variance, amendment, waiver or other discretionary approval. The Draft Ordinance would modify the Brisbane Municipal Code to permit multiple family dwelling units in the SCRO-1 District by right and in the NCRO-2 District as part of a mixed-use project by right. In the current code, these uses are permitted subject to the granting of a conditional use permit. Given changes to State law described above, the conditional use permit is no longer a legally acceptable mechanism to for reviewing Housing Development Projects, as the city's use permit findings are inherently subjective.

Establish Residential Density in the NCRO-2 District.

The current standards in the NCRO-2 District Chapter of the Brisbane Municipal Code state that residential density shall be set by the Conditional Use Permit for mixed use projects. Given that the Draft Ordinance would allow mixed-use projects by right, establishing permitted residential densities is necessary. The City and consultant team evaluated mixed-use projects recently approved by the Planning Commission through a Conditional Use Permit to set forth a residential density standard that was consistent with recent approvals. The Draft Ordinance includes a density standard of 600 square feet per dwelling unit, which would allow up to 4 units on a typical NCRO-2 lot of 25 feet wide by 100 feet deep.

Parking

As parking is one of the most significant constraints for projects, especially with the small lot sizes in the NCRO-2 District, the consultant and City team reviewed parking regulations among peninsula jurisdictions and found that while Brisbane's overall multifamily residential parking requirements were consistent with neighboring jurisdictions, guest parking requirements were far higher. The Draft Ordinance presented to the Planning Commission recommended lowering the guest parking requirement from 1 space per 5 units for projects of 5 units or more to 1 space per 10 units for projects of 10 units or more. However, the Planning Commission recommended keeping guest parking requirements consistent, so the proposed amendments to Chapter 17.34 have been removed from the Draft Ordinance.

An additional finding of the constraints analysis was that meeting both the parking requirements and the minimum 600 square-foot ground floor storefront requirement is not feasible for narrow lots in the NCRO-2 District. The Planning Commission considered additional language for Section 17.14.060 (H) of the Draft Ordinance and recommended reducing the required storefront space for narrow lots, as follows: "The minimum floor area for a storefront use for lots of 30 feet in width or less is two hundred and fifty (250) square feet."

Fiscal Impact

None. Permit application fees will be established to cover the processing costs of future applications.

Measure of Success

Objective design standards and permit processing procedure that allow the City to require high-quality design in new housing developments consistent with State law.

Attachments

1. Draft Ordinance
2. Redline of Amended Chapters
3. Planning Commission agenda reports and minutes for October 28 and November 16, 2021 meetings and Planning Commission Resolution RZ-2-21

NIC

John Swiecki, Community Development Director

Clay Holstine, City Manager

City of Brisbane
Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 10/28/2021

SUBJECT: **Zoning Text Amendment RZ-2-21;** Zoning text amendments to Title 17 of the Brisbane Municipal Code (BMC) to establish objective standards for housing development projects and permit multiple family dwellings in the NCRO-2 and SCRO-1 Zoning Districts by right; City of Brisbane, applicant; Citywide.

REQUEST: Recommend City Council adoption of proposed zoning text amendments to Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation passed in 2017 and after. Proposed amendments include: establishing objective design and development standards for housing development projects; allowing multiple family dwellings in the SCRO-1 District by right; allowing multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; establishing residential density requirements for the NCRO-2 Zoning District; reducing guest parking requirements; and establishing procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

RECOMMENDATION: Recommend City Council adoption of Zoning Text Amendment RZ-2-21 via adoption of Resolution RZ-2-21.

ENVIRONMENTAL DETERMINATION: The project does not require additional environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15168 and 15183, as the project is consistent with and in the scope of the General Plan EIR and does not trigger the preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162.

APPLICABLE CODE SECTIONS:

- Definitions (BMC Chapter 17.02)
- R-3 Residential District (BMC Chapter 17.10)
- Downtown Brisbane Neighborhood Commercial District (BMC Chapter 17.14)
- Southwest Bayshore Commercial District (BMC Chapter 17.16)
- Off-street Parking (BMC Chapter 17.34)
- Design Permits (BMC Chapter 17.42)
- Housing Development Permits (BMC Chapter 17.45 – *new chapter*)
- Administration (BMC Chapter 17.56)

ANALYSIS AND FINDINGS:

Background

Due to several changes in State Law since 2017, specifically Senate Bill 35 and the Housing Accountability Act (Attachments A and B), California cities must streamline the process for reviewing certain housing development proposals. In general, State law limits the City's discretion in reviewing housing projects to verifying that they comply with objective development standards. As such, it is now in the best interest of cities to "front-load" their housing development standards through the adoption of clear design rules, regulations, requirements, and guidelines, otherwise known as Objective Design and Development Standards (ODDS). ODDS provide predictability to the community and developers upfront in the development process, and require no interpretation or personal judgment, as opposed to subjective standards that are subject to interpretation and which may cause different people to disagree based on their personal perspectives and opinions.

An example of a subjective standard within the Brisbane Municipal Code is: "The orientation and location of buildings, structures, open spaces, and other features integrate well with each other and maintain a compatible relationship to adjacent development" (BMC 17.42.020(B)). Objective standards specify and quantify how to make projects compatible and integrated. For example, an objective standard would ensure a compatible relationship to adjacent lower-density residential development by requiring stepbacks at upper stories at shared property lines (see discussion below for more detail).

Adopting ODDS will allow the City to promote high-quality design in new housing development projects in the absence of a discretionary process. If the City does not adopt ODDS, the City will have very little control over the design of new housing developments. The Planning Commission would continue to review projects under the current Design Review regulations but would not be able to deny or reduce the number of units within housing development proposals based on noncompliance with subjective Design Review findings. For certain projects submitted to the City under SB 35 streamlining, the City would be required to review the application under a ministerial process, without any discretionary review or local guidance on design and standards.

The State made grant funds available to cities in 2019 to cover the cost of compliance with these new requirements. The City successfully applied for grant funds in the fall of 2019 and received approval in early 2020. The City hired consultants Good City Co. in August 2020 to assist with the ODDS Program. The work program has included community outreach to understand the community's design preferences, studies of opportunities and constraints to residential development in zoning districts with subjective development standards, and drafting updated zoning ordinance language.

Community Outreach

The City and consultant team conducted a series of community engagement activities throughout 2021 to educate community stakeholders about objective design and development standards and gain insight into community preferences regarding residential and mixed-use architectural and

design elements. This outreach is summarized in greater detail in Attachment D. Community engagement and related activities undertaken in 2021 include:

- Visual Preference Survey: January 2021
- Introductory Community Workshop: April 6, 202
- Objective Standards Photo Survey: July-August 2021
- Pop-up Open House at the Famers Market: August 12, 2021
- Pop-up Open House at the Brisbane Library: August 16-31, 2021
- A virtual walking tour of objective standards and design elements in neighboring Peninsula cities, video and maps released July 1, 2021

The City and consultant team has also presented the project to both the Planning Commission at a Study Session on February 11, 2021 and to the City Council on July 15, 2021.

Survey Results

The surveys were promoted via the city-wide newsletter, project email lists, and across social media channels including Facebook. The Visual Preference Survey (January) provided photographs illustrating a variety of residential and mixed-use design, which respondents ranked as appealing or unappealing. There were 126 respondents who indicated significant interest in landscaping, building height, and articulation. Community members found increased building setbacks made projects more appealing for multifamily residential projects (34%) than they did for mixed use projects with an active ground floor use along a commercial corridor (22%).

The Objective Standards Photo Survey (August) provided photographs of actual and proposed developments in Brisbane and other communities on the Peninsula to build upon the data gathered from the Visual Preference Survey. There were 105 respondents who indicated a preference for:

- usable outdoor space through porches, private yards, and balconies and landscaping (strong support)
- different colors or textures to differentiate units (especially for townhome examples) (strong support)
- different colors and textures at ground floor (for buildings with three or more floors) (strong support)
- Individual entries, varying setbacks, varying roof planes, screened mechanical equipment, and upper-level step-backs (moderate support)
- For downtown and mixed-use settings:
    - large storefront windows (strong support)
    - awnings and overhangs that extend over the sidewalk, angled or recessed building entries, taller ceiling heights at ground floor compared to the upper building stories, different exterior materials at the ground floor, limited setbacks at ground level that allow for plantings, seating, bike racks, etc. (moderate support)

Pop-up Open Houses

Approximately 40 community members participated in the Pop-up Open House Activities, 35 at the Farmers Market Pop-up Open House held on August 12, 2021, and five over the following two weeks on a separate set of boards on display at Brisbane Library. Community members identified support for upper-level step-backs, usable outdoor space along street, variation of material, color, and texture, and generous storefront glazing at these events through discussions with staff and participation in visual displays.

The Draft Ordinance has incorporated community outreach results into the objective standards, as described in the summary below, to ultimately create housing projects designed around community preference.

Draft Ordinance

The draft ordinance would:

- establish objective design and development standards for housing development projects;
- establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.
- allow multiple family dwellings in the SCRO-1 District by right; allow multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right;
- establish residential density requirements for the NCRO-2 Zoning District; and
- reduce guest parking requirements.

Below is a brief summary of the proposed amendments:

Establishment of Objective Design and Development Standards. The draft ordinance includes new provisions (Section 17.45.030 of the Draft Ordinance in Attachment A) related to objective design and development standards that housing development projects are required to meet. The objective standards include regulations on building design, roof design, materials, front and rear stepbacks, massing and articulation requirements, height and transparency requirements for ground floors in mixed-use developments, and parking design standards. These regulations are further summarized below.

Design and Materials

The Draft Ordinance includes general objective design standards that improve building appearance and function. These include orienting the building's frontage to be parallel to the street and requiring a visible main entry. Throughout the community engagement activities, community members exhibited a preference for quality and long-lasting building materials and noted their appreciation of the diverse architectural styles found throughout the City. General regulations for building materials are included, such as requiring a change in materials between the ground floor and upper stories, carrying the same materials on all elevations, requiring consistency of materials with the architectural style (for example, stucco and terra cotta roofing would be used for a Spanish style building), and requiring that durable materials are used. Further specification will be provided by a Supplemental Housing Development Design Guidelines document (see Attachment E for draft), which will be maintained and updated by

staff to stay up to date with modern design practices for materials and building code standards. Note that while the proposed ordinance addresses specific design elements it does not prescribe architectural style. This is in keeping with both community preference and the eclectic nature of Brisbane's current buildings.

Massing and Articulation

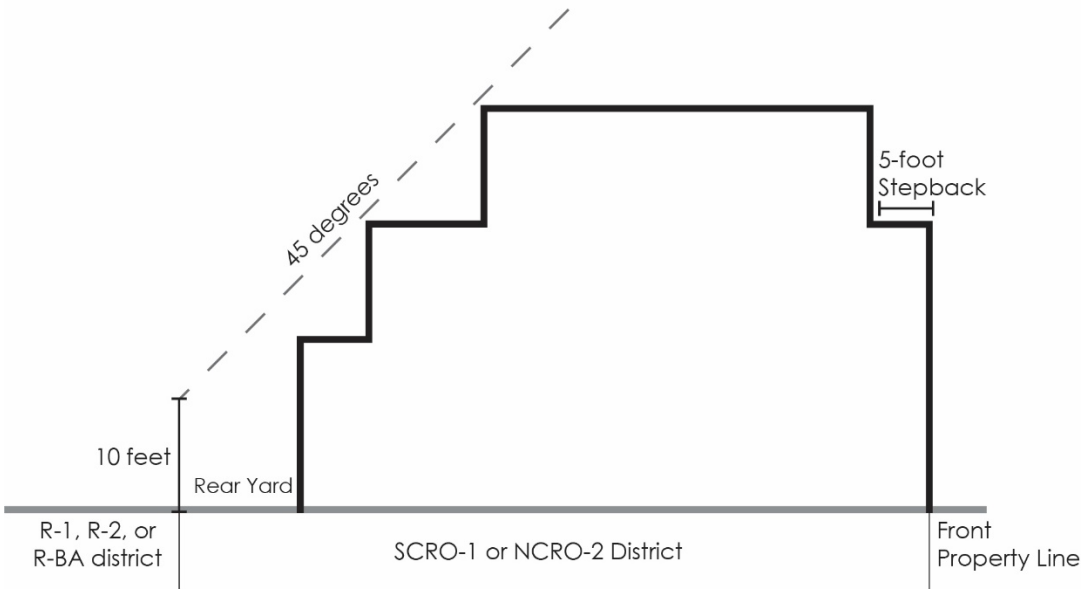
The Draft Ordinance includes both massing and articulation requirements to require recesses and projections in the front, street side, and rear building facades that add visual interest to the building design. Community members consistently ranked building articulation among the most appealing design elements across all community engagement activities. The Draft Ordinance requires that 30 percent of the front and rear and 20 percent of the street side wall faces are articulated, meaning that the wall face is offset by either a projection (such as a bay window) or a recess (such as a stepback). Recesses and projections must be at least 1 foot in depth.

In addition to the articulation requirements, buildings with over 30 feet in street-facing frontage width are required to incorporate a massing break, which is a recess that carries up multiple stories and establishes a series of bays in larger buildings. Buildings more than 60 feet wide must incorporate both major and minor massing breaks. The purpose of these breaks is to prevent a monolithic appearance for longer buildings and to break the building into smaller, pedestrian-scale units. Rooflines are also required to be articulated every 50 feet for this purpose. Ground floor commercial uses are exempt from this requirement, due to the transparency requirements described below.

Stepbacks

The Draft Ordinance also requires that buildings have both front and rear stepbacks in the SCRO-1 and NCRO-2 Districts. Stepbacks are increased setbacks for upper stories of a building, which require the upper story to "step back" to decrease the perceived height of a building from a pedestrian's vantage point. Community members indicated strong support for stepbacks throughout the community engagement activities, and particularly during conversations and board-based activities conducted during the Famers Market Pop-up Open House. The Draft Ordinance requires a 5-foot front stepback at the third story for 30 percent of the façade length. This stepback will add articulation to projects and provide a break in the height from the public view.

The rear stepback has been included to provide a transition in scale between lower density residential districts and mixed-use and higher density residential districts. To achieve this transition, the rear stepback requirement is based on a daylight plane, which is intended to provide for light and air, and to limit the impacts of bulk and mass on adjacent properties. The daylight plane requires that structures not intercept a forty-five-degree inclined plane inward from a height of ten feet above existing grade at any rear or interior lot line adjoining an R-1, R-2, or R-BA district, as shown below, and could require stepbacks at both the second and third story.



Ground Floor Requirements

To create an active pedestrian environment in mixed use districts, the Draft Ordinance also includes transparency requirements and a minimum height for non-residential ground floor uses. 65 percent of the front facades of non-residential ground floor uses are required to be transparent doors or windows to allow pedestrians views into the building, and a 12 foot minimum floor to ceiling height is incorporated in the Draft Ordinance to accommodate and encourage the higher floor to ceiling height needed for commercial operations. Community members ranked large storefront windows as the most appealing design element for downtown and mixed-use settings (up to 59% found this appealing in some of the examples considered in the Objective Standards Photo Survey).

Parking Design Standards

The Draft Ordinance includes parking design standards to minimize the prominence of covered and uncovered parking areas as set forth in Section 17.45.030(E) of Attachment A. Techniques include screening, prohibiting uncovered parking in the NCRO-2 District, limiting garage width, and requiring parking area entrances to be placed on side streets when possible. Many individual written responses in the Objective Standards Photo Survey recognized a tradeoff in mixed-use areas between onsite parking requirements and vibrant streetscape with active ground floor uses. Comments included, "Is it possible for residential parking to be access/located from the back of the building? Would rather see more of the ground level available for the storefront & parking be more hidden if feasible in a given location."

Open Space Requirements

Open space requirements would remain consistent for the NCRO-2 District at 60 square feet per unit but would be added to the SCRO-1 District to ensure that units continue to have

adequate access to private open space. The 60 square feet per unit requirement would apply to both districts, and a new requirement that the space must be a minimum width and length of 5 feet would ensure that the open space is functional and usable for occupants. These requirements reflect the very strong community member interest in including usable outdoor space (up to 83% found this appealing in some of the examples considered in the Objective Standards Photo Survey).

- **Housing Development Permit Procedure**

  The Draft Ordinance creates a new chapter in the zoning code applicable to Housing Development Projects. The chapter is applicable to housing projects that include three or more units, and eligible projects can be residential only or mixed-use where at least two-thirds of the square footage is designated for residential use. Housing Development Projects can consist of attached or detached units and may occupy more than one parcel as long as all units and parcels are included in the same application.

  This chapter is proposed in recognition that the review process for and city discretion over qualifying housing development projects is far different than the City's current design review process, which is still applicable to all other projects.

  Inasmuch as discretion over housing development projects is limited to verifying conformance of the project with the objective standards defined above, the review that will occur is primarily technical in nature. Given this consideration staff believes these projects should be treated differently from the existing design review process where the Planning Commission retains subjective discretion which can be informed by and meaningfully impacted through the traditional public hearing process. Staff believes applying the formal design review process where the Commission's discretion is extremely limited will be confusing and frustrating to both the Commission and public.

  Given these factors, a new Housing Development Permit (HDP) is proposed. The approval authority for the HDP would be the Zoning Administrator (ZA). The approval process would involve public notification that an application has been filed and the staff determination of whether or not the project complies with the applicable objective standards. This notice would be provided to the general public and well as to within property owners within 300 feet of the subject property. A staff report analyzing the project would also be made available for public review. If comments are received objecting to the staff determination, the Zoning Administrator shall set the matter for public meeting. If no objections are received, the Zoning Administrator may take action without a public meeting. Notice of the ZA's decision would be provided, and the ZA's decision would be appealable to the City Council. All decisions and appeals would be limited solely to an evaluation of the project's consistency with objective standards. As State Law has limited the power of decision-making bodies and the public to modify or deny Housing Development Projects that comply with objective standards, these procedural changes intend to balance providing the public with information about new projects without imposing subjective review that is inconsistent with state law. The community outreach performed to create the objective standards in the Draft Ordinance also recognized that discretion now has to be front loaded, so it was critical to embed community design values within the objective standards now under consideration.

- **Streamlined (SB 35) Housing Development Projects**

  The Objective Standards in the Housing Development Permits chapter also apply to Streamlined Housing Development Projects, which are projects covered by SB 35. However, Streamlined Housing Development Projects have a separate procedure for review and approval set forth by State Law. Streamlined Housing Development Projects must have the same characteristics as Housing Development Projects but have additional site characteristics requirements for eligibility (including but not limited to an infill site located in an urban area zoned for residential or mixed-use outside of environmentally sensitive areas) in addition to an affordable housing component as specified by SB 35. The full list of criteria is included in the City's SB 35 Eligibility Checklist here. Under SB35, projects that meet eligibility requirements may elect to use a streamlined ministerial process, which sets forth specific timelines based on unit count for jurisdictions to determine that a project is consistent with objective standards and issue project approval. While general Housing Development Projects are subject to the permit streamlining act, only Streamlined Housing Development Projects have specified timeframes for project consistency determinations and approval.

- **Permit multiple family dwelling units in SCRO-1 and NCRO-2 Districts by right.**

  Uses are considered to be permitted "by-right" if the development may proceed under zoning and local land use regulations without the need for a special permit, variance, amendment, waiver or other discretionary approval. The Draft Ordinance would modify the Brisbane Municipal Code to permit multiple family dwelling units in the SCRO-1 District by right and in the NCRO-2 District as part of a mixed-use project by right. In the current code, these uses are permitted subject to the granting of a conditional use permit. Given changes to State law described above, the conditional use permit is no longer a legally acceptable mechanism to for reviewing Housing Development Projects, as the city's use permit findings are inherently subjective. Adding a Housing Development Permit, as described above, allows the City to review housing projects through an objective lens while retaining the more subjective standards and findings of the Design Permit and Conditional Use Permit for commercial projects.

- **Establish Residential Density in the NCRO-2 District.**

  The current standards in the NCRO-2 District Chapter of the Brisbane Municipal Code state that residential density shall be set by the Conditional Use Permit for mixed use projects. Given that the Draft Ordinance would allow mixed-use projects by right, establishing permitted residential densities is necessary. The City and consultant team evaluated mixed-use projects recently approved by the Planning Commission through a Conditional Use Permit (such as 213 Visitacion Avenue) to set forth a residential density standard that was consistent with recent approvals. The Draft Ordinance includes a density standard of 600 square feet per dwelling unit, which would allow up to 4 units on a typical NCRO-2 lot of 25 feet wide by 100 feet deep.

- **Parking.**

  As part of the development of objective standards, the consultant and City team also performed a constraints analysis to evaluate how other regulations impact the feasibility of housing

projects cumulatively. This responds to state law requirements that objective development standards cannot be so onerous as to render housing projects infeasible. Parking is one of the most significant constraints for projects, especially with the small lot sizes in the NCRO-2 District, which can only feasibly meet parking requirements with the use of mechanical parking lifts. The consultant and City team reviewed parking regulations among peninsula jurisdictions and found that while Brisbane's overall multifamily residential parking requirements were consistent with neighboring jurisdictions, guest parking requirements were far higher. The Draft Ordinance proposes lowering the guest parking requirement from 1 space per 5 units for projects of 5 units or more to 1 space per 10 units for projects of 10 units or more.

An additional finding of the constraints analysis was that meeting both the parking requirements and the minimum 600 square-foot ground floor storefront requirement is not feasible for narrow lots in the NCRO-2 District. The last two mixed-use projects approved by the Planning Commission in the NCRO-2 District included conditional use permits to reduce the size of the storefront space (18 Visitacion Avenue and 213 Visitacion Avenue), and one project (213 Visitacion Avenue) included a use permit to reduce the size and amount of off-street parking spaces. Staff recommends that the Planning Commission consider additional language in Section 17.14.060 (H) of the Draft Ordinance to either reduce the required storefront space for narrow lots or exempt these lots from parking requirements. Draft language for both options is provided below:

- "Lots 30 feet in width or less shall be exempt from off-street parking requirements provided that a full six hundred (600) square feet of storefront use is provided and the lot is not a corner lot" *or*
- "The minimum floor area for a storefront use for lots of 30 feet in width or less is two hundred and fifty (250) square feet."

ATTACHMENTS:

A. Draft Resolution RZ-1-21 (including draft ordinance) (NIC)
B. Redline copy of proposed zoning text amendments
C. SB 35 and the Housing Accountability Act, relating to objective standards (hyperlinks)
D. Community Outreach Summary
E. Draft Supplementary Housing Development Design Guidelines

Kelly Beggs, Contract Planner

John Swiecki, Community Development Director

MEMORANDUM

Date: October 11, 2021
To: John Swiecki, Community Development Director, City of Brisbane
From: Nicholas Hamilton, Senior Planner, Good City Company
Subject: Objective Standards Community Outreach Summary

Brisbane City Staff , together with its consultant Good City Company, conducted a series of community engagement activities throughout 2021. The purpose of outreach was to provide information to community stakeholders about objective design and development standards and gain insight into community preferences regarding residential and mixed-use architectural and design elements. This memorandum provides an overview of relevant community engagement activities and highlights key findings from these activities.

Background

The City of Brisbane is in the process of updating its design review ordinance and residential zoning district standards to front-load the City's discretionary authority and comply with State laws that require housing design standards to be objective. Good City Company was engaged by the City to help facilitate the development of a suite of proposed Objective Design and Development Standards (ODDS), and to engage community stakeholders in a community engagement process. More information on the objective standards project, background on recent policy changes from the State, and key terms related to the project are available on the City's Objective Standards project landing page https://www.brisbaneca.org/cd/page/objective-design-and-development-standards-project.

Methodology

Community engagement and related activities undertaken in 2021 included:

- Visual Preference Survey: January 2021
- Planning Commission Study Session (virtual): February 11, 2021
- Introductory Community Workshop (virtual): April 6, 2021
- Virtual walking tour of objective standards and design elements in neighboring Peninsula cities, video and maps released July 1, 2021
- City Council Presentation (virtual): July 15, 2021
- Objective Standards Photo Survey: July-August 2021
- Pop-up Open House at the Farmers Market: August 12, 2021
- Pop-up Open House at the Brisbane Library: August 16-31, 2021
- Project webpage including project goals, timeline, frequently asked questions

The Objective Standards Photo Survey (July-August) and pop-up open house activities were informed by feedback received from the Visual Preference Survey (January) regarding aspects of a variety of residential and mixed-use design elements that respondents found both appealing and unappealing. The examples used in the Photo Survey are of actual and proposed developments in Brisbane and other communities on the Peninsula. The surveys were promoted via the city-wide newsletter, project email lists, and across social media channels including Facebook.

Respondent Profiles

The Residential Design Visual Preference Survey was completed by 126 community members during January 2021. The Objective Standards Photo Survey was completed by 105 community members between July 1 and August 31, 2021. Approximately 40 community members participated in the Pop-up Open House Activities, 35 at the Farmers Market Pop-up Open House held on August 12, 2021, and five over the following two weeks on a separate set of boards on display at Brisbane Library.

A snapshot of demographic questions and most common responses are indicated below. Complete demographic information is included in the Visual Preference Survey Results, Objective Standards Photo Survey: Results, and Objective Standards Pop-up Open Houses: Results attachments. 414 individual written comments were collected as part of the Photo Survey, and Sixteen individual written comments were collected as part of the Pop-up Open Houses. Those comments are included in their respective results attachments.

	January Survey	July-Aug Survey	Pop-ups
Currently, do you:			
Live in Brisbane	80%	72%	55%
Live and work in Brisbane	17%	12%	18%
What type of home do you live in?			
A single-family home	78%	81%	81%
A condominium	11%	11%	3%
In your current home, do you:			
Own	87%	84%	61%
Rent entire unit	11%	11%	25%
Lived with friends/family and did not pay rent	-	2%	14%

How long have you lived in Brisbane?			
1-5 years	21%	22%	-
6-10 years	15%	19%	-
11-20 years	21%	17%	-
21+ years	43%	42%	-
Gender			
Female	59%	62%	-
Male	34%	30%	-
What area of the City do you live in?			
Central Brisbane	76%	80%	69%
The Ridge	15%	15%	15%
Brisbane Acres	8%	2%	12%
Race/Ethnicity			
White, non-Hispanic	63%	60%	-
Asian of Asian American	17%	12%	-
Prefer not to specify	10%	14%	-
Hispanic/Latino	4%	5%	-
Age			
18-26	5%	5%	-
30-49	38%	42%	-
50-64	31%	28%	-
65+	26%	25%	-
Total Completed Responses	126	105	40
Total Individual Written Comments	-	414	16

Multifamily Residential Design Element Preferences

Across the examples provided in the Objective Standards Photo Survey, community members indicated the design element they found most appealing was usable outdoor space through porches, private yards, and balconies (up to 83% in some examples). Different colors or textures to differentiate units (especially for townhome examples) and different colors and textures at ground floor (for buildings with three or more floors) were also identified as appealing to community members (up to 74%). They also found appealing in some cases: landscaping (up to 71% in some examples), individual entries (up to 66%), and varying setbacks (up to 62%).

Community members indicated at lower rates that they found the following design elements appealing: varying roof planes (up to 49%), screened mechanical equipment (up to 37%), and upper-level step-backs (up to 35%). It is worth noting that in individual conversations with community members at the Farmers Market Pop-

Up Open House, community members indicated an increase in interest in upper-level step-backs, varying roof planes and varying setbacks on larger and taller examples than they did on examples of smaller and lower building examples. Selected individual written comments from the Photo Survey include: “The most interesting thing about walking around in Brisbane is all the home styles that were created over the years,” “It's unclear whether these homes have sufficient parking available,” “All the new Multi dwelling’s should be limited to two stories,” and “The fake foam trim with stucco blown over it always looks cheap and terrible. I say let San Jose and it's neighbors keep this style to themselves. I would rather see solid flat walls than this.”

At the Pop-Up Open House activities, when asked which architectural elements promoted compatibility with adjacent buildings, community members expressed more interest in step-backs and massing breaks, overhangings, protrusions, and balconies, and variation in color and texture than they did for recessed windows, individual entries, or dimensional detail between ground and upper levels. Selected individual written comments from the Pop-up Open Houses include: “More affordable housing options! Less single family home zoning. Too expensive to rent or buy here.” “Let the community change how it will. Let the property owner decide.” and “Encourage mixed use (resi. With office/retail).”

These preferences were largely consistent with the initial Residential Design Visual Preference Survey conducted in January of 2021, where responses indicated the following design elements as among the most appealing across any of the variety of examples presented: landscaping (up to 82%), building height (up to 50%), and articulation (up to 53%). The visual preference survey also contained questions about ways example projects could be improved. Community members consistently indicated landscaping improvements would improve the appeal of projects presented. The location and configuration of parking, and the screening of mechanical equipment was not prioritized among ways to improve the appeal of projects presented (typically registering at 10-15%).

Mixed Use and Active Commercial Streetscape Design Element Preferences

Throughout the Objective Standards Photo Survey, community members consistently indicated large storefront windows were the most appealing design element for downtown and mixed-use settings, with 43% - 59% of survey responses indicating it was appealing among four examples given.

Responses to the Photo Survey also indicated they found appealing: awnings and overhangs that extend over the sidewalk, angled or recessed building entries, taller

ceiling heights at ground floor compared to the upper building stories, different exterior materials at the ground floor, limited setbacks at ground level that allow for plantings, seating, bike racks, etc. Selected individual written comments from the Photo Survey include: “This feels jammed into a very small lot. Requiring the garage seriously cuts into the viability of the commercial space.” and “I don't see the difference in any of these. Please build affordable housing for all so we can alleviate the housing crisis!!!”

At the Pop-Up Open House activities, when asked which architectural elements would minimize the visual impact and massing of a building, community members identified more interest in upper-level step-backs, usable outdoor space along street, variation of material, color, and texture, and generous storefront glazing than they did for pedestrian awnings and lighting or protrusions and voids of the example building’s design.

It is also worth noting that the initial Residential Design Visual Preference Survey conducted in January of 2021 revealed community members found increased building setbacks made projects more appealing for multifamily residential projects (34%) than they did for mixed use projects with an active ground floor use along a commercial corridor (22%).

Ridgeline Single-Family Home Design Element Preferences:

While no changes to the design standards were proposed as part of this project for ridgeline single family homes, community preferences on design elements were collected as part of community outreach activities over the course of this project. Throughout the Objective Standards Photo Survey, community members indicated the three design elements they found most appealing in the ridgeline single-family home example provided were: upper-level step-backs that mimic the topography, use of natural exterior finishes (stone, stucco, etc.), and varying roof forms that follow the topography. Community members also indicated the following as appealing: limiting individual wall heights to a maximum of two stories from all perspectives and reduced building height. Selected individual written comments from the Photo Survey include: “Not enough setback” and “takes away from street parking since now there is a driveway.”

The initial Residential Design Visual Preference Survey conducted in January of 2021 indicated strong interest in building articulation as appealing (up to 66% for some examples), in addition to indicating landscaping (up to 52% for some examples) as an appealing design element.

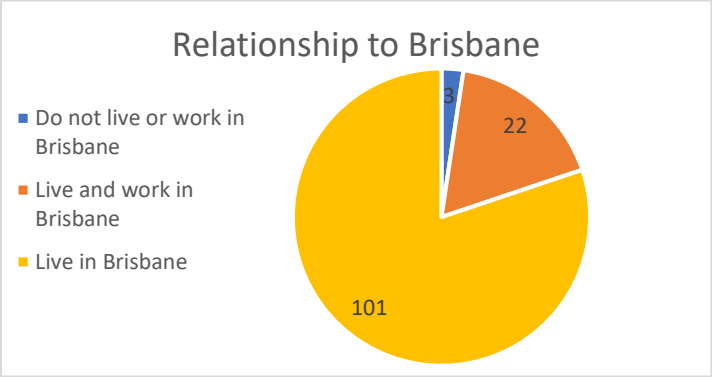
Attachments:

1. Visual Preference Survey Results
2. Objective Standards Photo Survey Results
3. Objective Standards Pop-up Open Houses Results

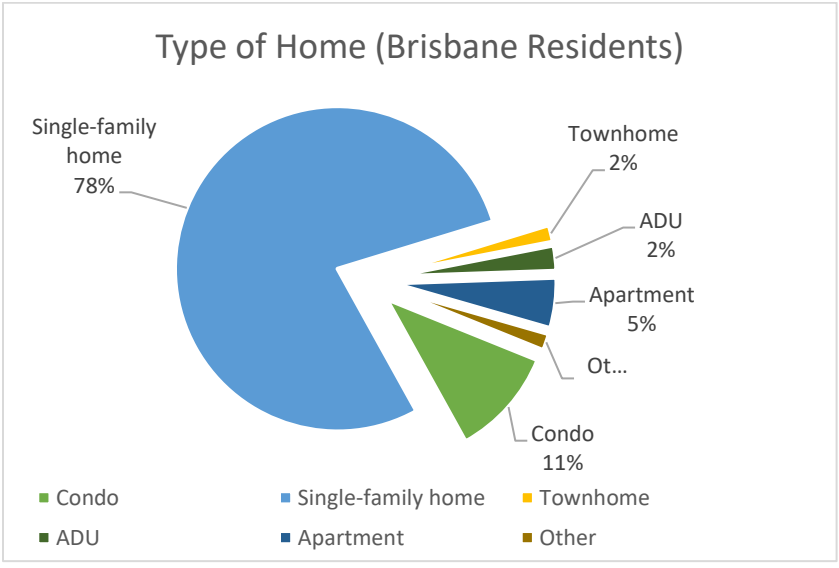
Brisbane Residential Objective Design and Development Standards (ODDS)

Residential Design Preference Survey Results

1. Currently, do you:
    a. Live in Brisbane - **0**
    b. Work in Brisbane - **101**
    c. Live and work in Brisbane - **22**
    d. Do not live or work in Brisbane – **3**

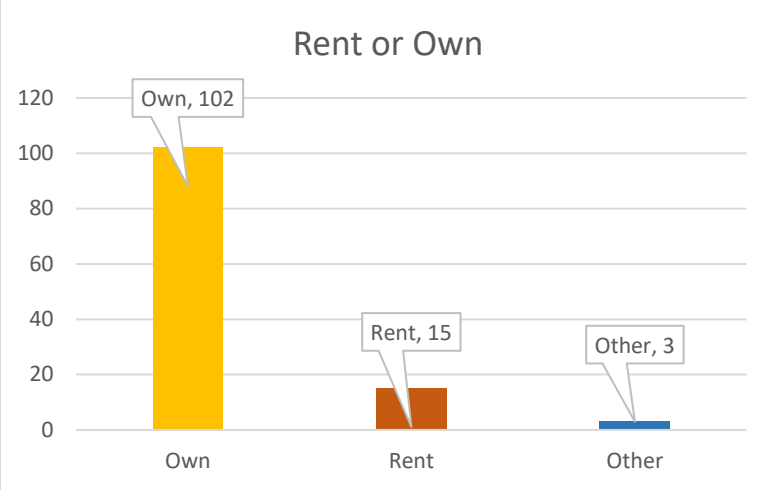


2. If you live in Brisbane, what type of home do you live in?
    a. A single-family home - **94**
    b. A townhome - **2**
    c. A condominium - **13**
    d. An apartment - **6**
    e. Accessory dwelling unit (granny flat/guest house) - **3**
    f. Group home **-0**
    g. Do not currently have a permanent home **- 0**
    h. Other (please specify) **- 2**

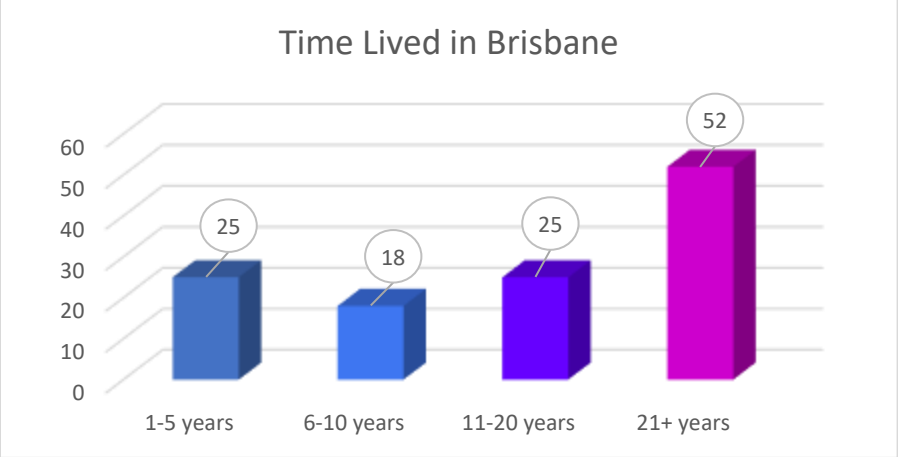


3. In your current home, do you:
    a. Own - **102**

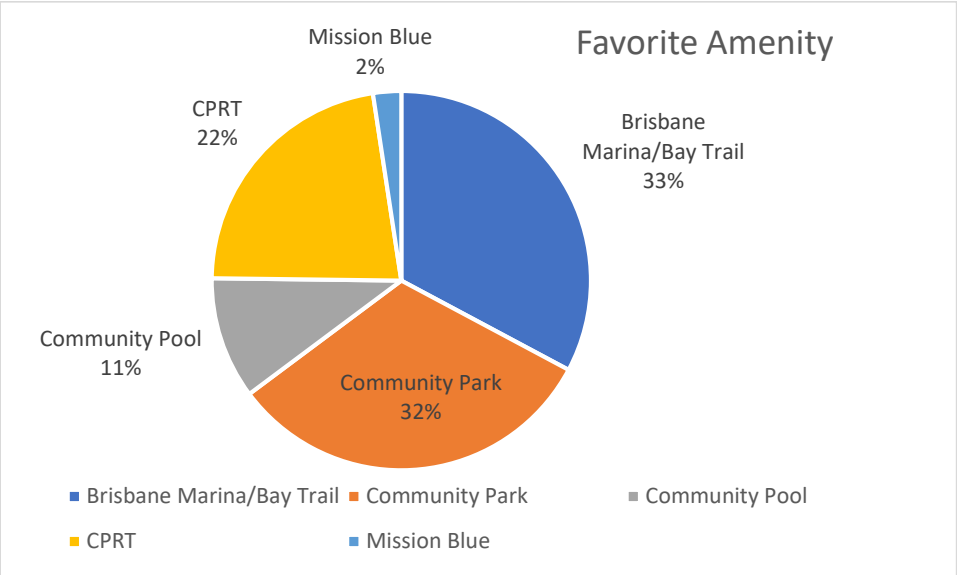
b. Rent a room - **2**
c. Rent entire unit - **13**
d. Live with friends/family, do not own or pay rent - **0**
e. Do not currently have a permanent home - **0**
f. Other (please specify) – **0**



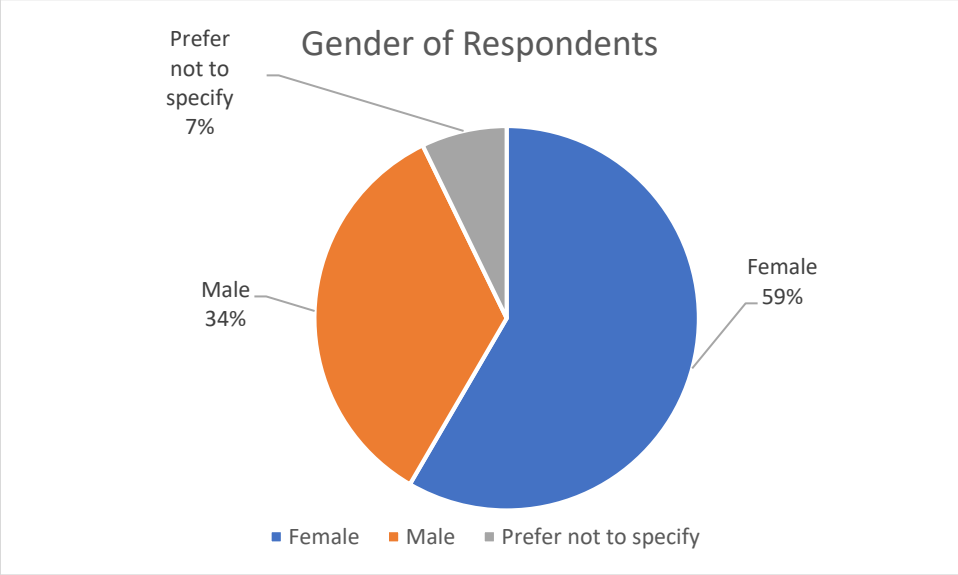
4. How long have you lived in Brisbane?
   a. 1-5 years - **25**
   b. 6-10 years - **18**
   c. 11-20 years - **25**
   d. 21+ years - **52**
   e. Do not live in Brisbane - **0**



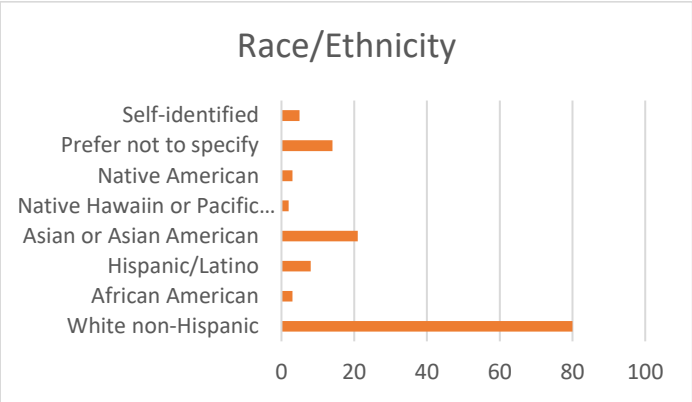
5. What is your favorite community amenity in the City?
   a. Brisbane Marina/Bay Trail
   b. Community Park
   c. Community Pool
   d. Crocker Park Recreational Trail
   e. Mission Blue Athletic Fields



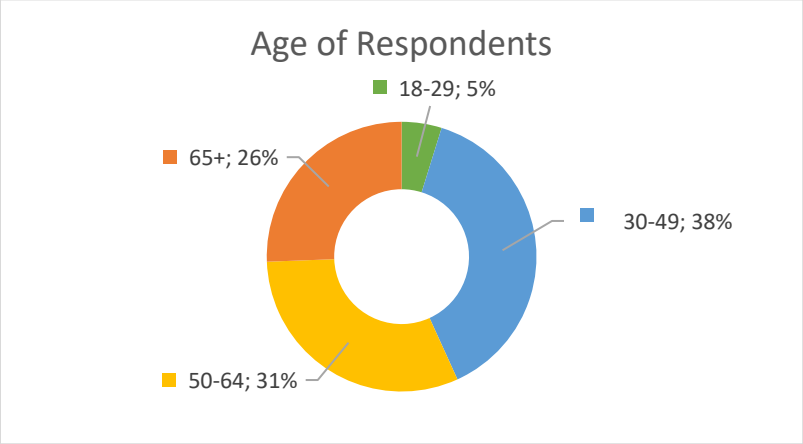
6. Please indicate your gender.
    a. Male - **43**
    b. Female - **73**
    c. Non-binary - **0**
    d. Prefer not to specify - **9**



7. How do you identify yourself?
    a. White non-Hispanic
    b. African American
    c. Hispanic/Latino
    d. Asian or Asian American
    e. Native Hawaiian or Pacific Islander
    f. Native American
    g. Prefer not to specify
    h. If you prefer to self-identify, do so here:



8. What is your age group?
    a. Under 18 - **0**
    b. 18-29 - **6**
    c. 30-49 - **48**
    d. 50-64 - **39**
    e. 65+ - **32**



9. Which area do you reside in?
    a. Area A: Central Brisbane
    b. Area B: Brisbane Acres
    c. Area C: Southwest Bayshore
    d. Area D: The Ridge
    e. Other (please specify)

See Map and Responses in Appendix

MIXED USE DEVELOPMENT

Image 1

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **9**
   B| Somewhat Unappealing - **39**
   C| Neither Appealing nor Unappealing - **16**
   D| Somewhat Appealing - **41**
   E| Very Appealing – **21**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **39**
   B| Building height - **59**
   C| Location and configuration of parking - **23**
   D| Screening - **15**
   E| Landscaping -**53**
   F| Building articulation -**51**
   G| Relationship with neighboring structures -**23**
   H| No preferences - 0
   I| Other - **19**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **28**
   B| Building height - **20**
   C| Location and configuration of parking - **17**
   D| Screening - **15**
   E| Landscaping/plantings - **52**
   F| Building articulation - **29**
   G| Relationship with neighboring structures - **44**
   H| No preferences - **34**
   I| Other – **23**

Image 2

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **19**
B| Somewhat Unappealing - **16**
C| Neither Appealing nor Unappealing - **19**
D| Somewhat Appealing - **49**
E| Very Appealing – **23**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **39**
B| Building height - **59**
C| Location and configuration of parking - **23**
D| Screening - **15**
E| Landscaping -**53**
F| Building articulation -**51**
G| Relationship with neighboring structures -**23**
H| No preferences - 0
I| Other - **19**

iii. What improvements would you make to the design of the development? (Mark all that apply).

A| Building setbacks - **28**
B| Building height - **20**
C| Location and configuration of parking - **17**
D| Screening - **15**
E| Landscaping/plantings - **52**
F| Building articulation - **29**
G| Relationship with neighboring structures - **44**
H| No preferences - **34**
I| Other - **23**

TOWN HOMES

Image 3

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **9**
B| Somewhat Unappealing - **22**
C| Neither Appealing nor Unappealing - **33**
D| Somewhat Appealing - **42**
E| Very Appealing – **20**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **28**
B| Building height - **55**
C| Location and configuration of parking - **42**
D| Screening - **5**
E| Landscaping -**21**
F| Building articulation -**66**
G| Relationship with neighboring structures -**49**
H| No preferences - 20
I| Other - **11**

iii. What improvements would you make to the design of the development? (Mark all that apply).

A| Building setbacks - **36**
B| Building height - **5**
C| Location and configuration of parking - **17**
D| Screening - **25**
E| Landscaping/plantings - **83**
F| Building articulation - **26**
G| Relationship with neighboring structures - **19**
H| No preferences - **21**
I| Other – **19**

Image 4

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **16**
B| Somewhat Unappealing - **31**
C| Neither Appealing nor Unappealing - **29**
D| Somewhat Appealing - **40**
E| Very Appealing – **10**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **39**
B| Building height - **59**
C| Location and configuration of parking - **23**
D| Screening - **15**
E| Landscaping -**53**
F| Building articulation -**51**
G| Relationship with neighboring structures -**23**
H| No preferences - 0
I| Other - **19**

iii. What improvements would you make to the design of the development? (Mark all that apply).
A| Building setbacks - **28**
B| Building height - **20**
C| Location and configuration of parking - **17**
D| Screening - **15**
E| Landscaping/plantings - **52**
F| Building articulation - **29**
G| Relationship with neighboring structures - **44**
H| No preferences - **34**
I| Other – **23**

Image 5

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **12**
B| Somewhat Unappealing - **17**
C| Neither Appealing nor Unappealing - **9**
D| Somewhat Appealing - **44**
E| Very Appealing – **44**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **77**
B| Building height - **63**
C| Location and configuration of parking - **38**
D| Screening - **22**
E| Landscaping - **102**
F| Building articulation - **69**
G| Relationship with neighboring structures -**34**
H| No preferences - **11**
I| Other - **15**

iii. What improvements would you make to the design of the development? (Mark all that apply).
A| Building setbacks - **9**
B| Building height - **14**
C| Location and configuration of parking - **13**
D| Screening - **6**
E| Landscaping/plantings - **14**
F| Building articulation - **20**
G| Relationship with neighboring structures - **20**
H| No preferences - **62**
I| Other – **25**

Image 6

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **32**
B| Somewhat Unappealing - **26**
C| Neither Appealing nor Unappealing - **21**
D| Somewhat Appealing - **34**
E| Very Appealing – **12**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **17**
B| Building height - **29**
C| Location and configuration of parking - **13**
D| Screening - **14**
E| Landscaping - **32**
F| Building articulation - **48**
G| Relationship with neighboring structures -**13**
H| No preferences - **46**
I| Other - **16**

iii. What improvements would you make to the design of the development? (Mark all that apply).
A| Building setbacks - **37**
B| Building height - **51**
C| Location and configuration of parking - **23**
D| Screening - **15**
E| Landscaping/plantings - **47**
F| Building articulation - **39**
G| Relationship with neighboring structures - **26**
H| No preferences - **33**
I| Other – **20**

MID-RISE MULTI-FAMILY (MAXIMUM 3 STORIES)

Image 7

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **10**
B| Somewhat Unappealing - **24**
C| Neither Appealing nor Unappealing - **30**
D| Somewhat Appealing - **45**
E| Very Appealing – **17**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **66**
B| Building height - **46**
C| Location and configuration of parking - **22**
D| Screening - **38**
E| Landscaping - **81**
F| Building articulation - **57**
G| Relationship with neighboring structures -**31**
H| No preferences - **18**
I| Other - **11**

iii. What improvements would you make to the design of the development? (Mark all that apply).
A| Building setbacks - **5**
B| Building height - **21**
C| Location and configuration of parking - **17**
D| Screening - **10**
E| Landscaping/plantings - **23**
F| Building articulation - **33**
G| Relationship with neighboring structures - **16**
H| No preferences - **47**
I| Other – **22**

Image 8

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **28**
   B| Somewhat Unappealing - **18**
   C| Neither Appealing nor Unappealing - **19**
   D| Somewhat Appealing - **32**
   E| Very Appealing – **29**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **34**
   B| Building height - **34**
   C| Location and configuration of parking - **27**
   D| Screening - **12**
   E| Landscaping - **32**
   F| Building articulation - **71**
   G| Relationship with neighboring structures -**18**
   H| No preferences - **25**
   I| Other - **19**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **20**
   B| Building height - **32**
   C| Location and configuration of parking - **9**
   D| Screening - **19**
   E| Landscaping/plantings - **52**
   F| Building articulation - **29**
   G| Relationship with neighboring structures - **28**
   H| No preferences - **39**
   I| Other – **19**

Image 9

i. How appealing do you consider the design of the development shown in the image?
A| Very Unappealing - **37**
B| Somewhat Unappealing - **25**
C| Neither Appealing nor Unappealing - **11**
D| Somewhat Appealing - **30**
E| Very Appealing – **23**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
A| Building setbacks - **28**
B| Building height - **40**
C| Location and configuration of parking - **21**
D| Screening - **28**
E| Landscaping - **66**
F| Building articulation - **51**
G| Relationship with neighboring structures -**23**
H| No preferences - **32**
I| Other - **12**

iii. What improvements would you make to the design of the development? (Mark all that apply).
A| Building setbacks - **27**
B| Building height - **38**
C| Location and configuration of parking - **18**
D| Screening - **16**
E| Landscaping/plantings - **25**
F| Building articulation - **44**
G| Relationship with neighboring structures - **32**
H| No preferences - **42**
I| Other – **24**

HIGH-RISE MULTI-FAMILY MAXIMUM 5 STORIES (not currently permitted in Brisbane)

Image 10

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **32**
   B| Somewhat Unappealing - **19**
   C| Neither Appealing nor Unappealing - **13**
   D| Somewhat Appealing - **30**
   E| Very Appealing – **32**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **24**
   B| Building height - **33**
   C| Location and configuration of parking - **17**
   D| Screening - **17**
   E| Landscaping - **33**
   F| Building articulation - **63**
   G| Relationship with neighboring structures -**18**
   H| No preferences - **35**
   I| Other – **18**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **40**
   B| Building height - **46**
   C| Location and configuration of parking - **19**
   D| Screening - **14**
   E| Landscaping/plantings - **42**
   F| Building articulation - **29**
   G| Relationship with neighboring structures - **30**
   H| No preferences - **38**
   I| Other – **13**

Image 11

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **47**
   B| Somewhat Unappealing - **25**
   C| Neither Appealing nor Unappealing - **15**
   D| Somewhat Appealing - **18**
   E| Very Appealing – **21**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **25**
   B| Building height - **33**
   C| Location and configuration of parking - **24**
   D| Screening - **13**
   E| Landscaping - **16**
   F| Building articulation - **50**
   G| Relationship with neighboring structures -**18**
   H| No preferences - **45**
   I| Other – **16**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **38**
   B| Building height - **46**
   C| Location and configuration of parking - **18**
   D| Screening - **19**
   E| Landscaping/plantings - **53**
   F| Building articulation - **40**
   G| Relationship with neighboring structures - **35**
   H| No preferences - **31**
   I| Other – **21**

Image 12

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **80**
   B| Somewhat Unappealing - **22**
   C| Neither Appealing nor Unappealing - **10**
   D| Somewhat Appealing - **5**
   E| Very Appealing – **9**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **13**
   B| Building height - **19**
   C| Location and configuration of parking - **6**
   D| Screening - **9**
   E| Landscaping - **21**
   F| Building articulation - **15**
   G| Relationship with neighboring structures -**7**
   H| No preferences - **66**
   I| Other – **14**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **43**
   B| Building height - **48**
   C| Location and configuration of parking - **24**
   D| Screening - **28**
   E| Landscaping/plantings - **47**
   F| Building articulation - **71**
   G| Relationship with neighboring structures - **42**
   H| No preferences - **22**
   I| Other – **27**

SINGLE-FAMILY HOMES ON RIDGELINE:

Image 13

i. How appealing do you consider the design of the development shown in the image?
- Very Unappealing **22**
- Somewhat Unappealing **30**
- Neither Appealing nor Unappealing **30**
- Somewhat Appealing **33**
- Very Appealing **11**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
- Building setbacks **42**
- Building height **47**
- Location and configuration of parking **40**
- Screening **18**
- Landscaping/plantings **65**
- Building articulation **38**
- Relationship with neighboring structures **46**
- No preferences **24**
- Other **12**

iii. What improvements would you make to the design of the development?
(Mark all that apply).
- Building setbacks **24**
- Building height **12**
- Location and configuration of parking **15**
- Screening **28**
- Landscaping **42**
- Building articulation **49**
- Relationship with neighboring structures **21**
- No preferences **36**
- Other **19**

Image 14

i. How appealing do you consider the design of the development shown in the image?
   A| Very Unappealing - **9**
   B| Somewhat Unappealing - **32**
   C| Neither Appealing nor Unappealing - **26**
   D| Somewhat Appealing - **47**
   E| Very Appealing – **12**

ii. What characteristics make the design of the development appealing to you? (Mark all that apply).
   A| Building setbacks - **58**
   B| Building height - **51**
   C| Location and configuration of parking - **43**
   D| Screening - **13**
   E| Landscaping - **51**
   F| Building articulation - **46**
   G| Relationship with neighboring structures -**39**
   H| No preferences - **24**
   I| Other – **11**

iii. What improvements would you make to the design of the development? (Mark all that apply).
   A| Building setbacks - **15**
   B| Building height - **6**
   C| Location and configuration of parking - **7**
   D| Screening - **22**
   E| Landscaping/plantings - **39**
   F| Building articulation - **30**
   G| Relationship with neighboring structures - **19**
   H| No preferences - **41**
   I| Other – **15**

Image 15

iv. How appealing do you consider the design of the development shown in the image?

A| Very Unappealing - **14**
B| Somewhat Unappealing - **19**
C| Neither Appealing nor Unappealing - **10**
D| Somewhat Appealing - **41**
E| Very Appealing – **42**

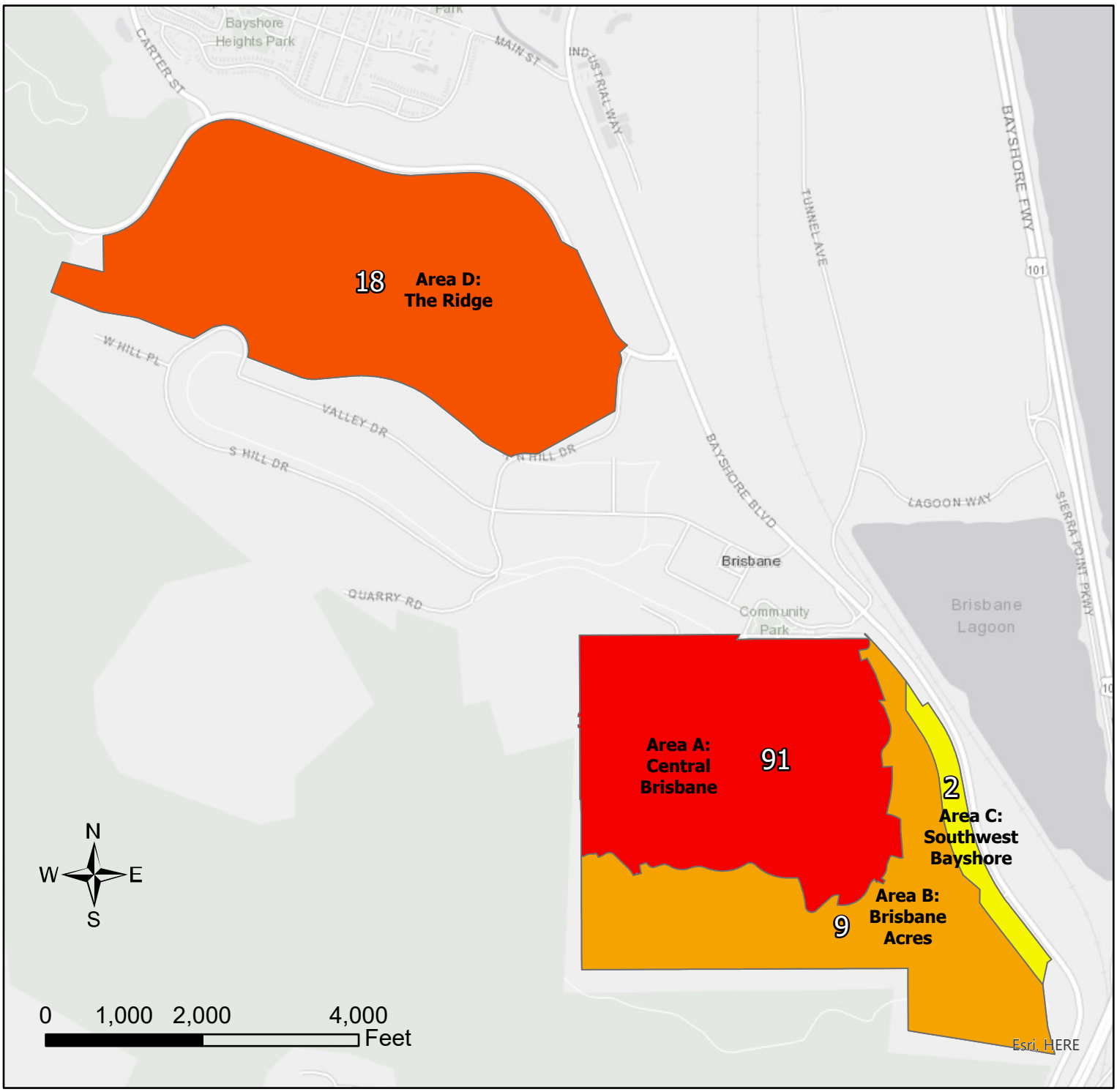
v. What characteristics make the design of the development appealing to you? (Mark all that apply).

A| Building setbacks - **55**
B| Building height - **68**
C| Location and configuration of parking - **49**
D| Screening - **16**
E| Landscaping - **25**
F| Building articulation - **77**
G| Relationship with neighboring structures -**20**
H| No preferences - **23**
I| Other – **16**

vi. What improvements would you make to the design of the development? (Mark all that apply).

A| Building setbacks - **5**
B| Building height - **6**
C| Location and configuration of parking - **9**
D| Screening - **19**
E| Landscaping/plantings - **51**
F| Building articulation - **13**
G| Relationship with neighboring structures - **26**
H| No preferences - **48**
I| Other – **16**

Residential Design Visual Preference Survey Participation Numbers



Survey Participants

- 2
- 9
- 18
- 91

Survey Data from March 2021

Objective Standards Photo Survey: Results

October 11, 2021

The results of an “Objective Standards Photo Survey” conducted by the City of Brisbane, and its consultants Good City Company over July and August of 2021 are presented here. An accompanying memo provides discussion of key results and additional context.

Please note that subject-related results (Questions 10-31) are presented first and that demographic responses (Questions 1-9) are included at the end of this document. Twenty eight email addresses were collected in response to Question 32 and were added to the City’s project mailing list. The individual email addresses have been removed from these published survey results.

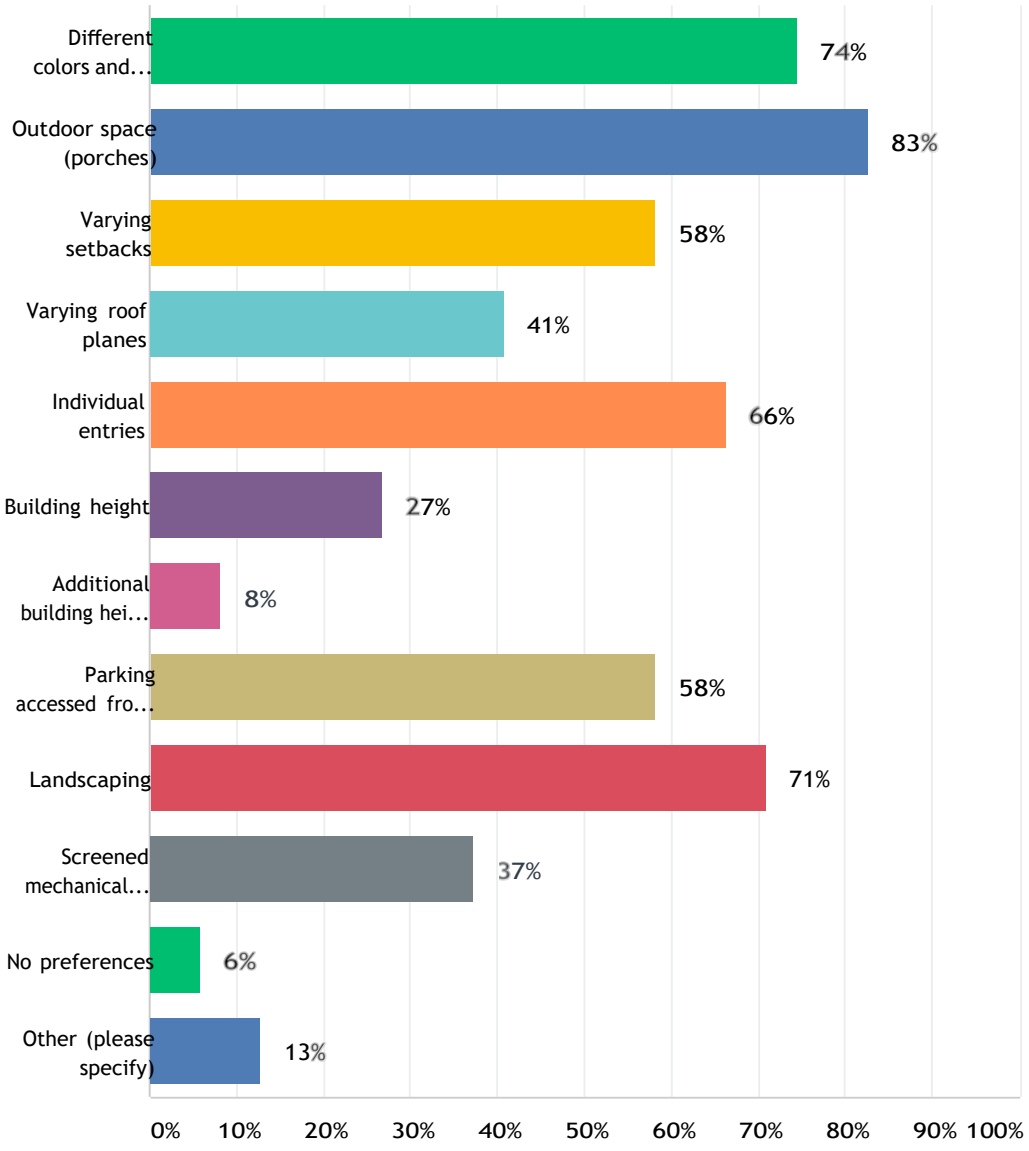
TOWNHOUSES - Example 1 of 3
(Questions 10-11)

Townhouses are multi-floor homes that share one to two walls with adjacent homes and have their own entrances. Townhouses can be rented, or owned if established as a condominium development. In Brisbane, townhouses are allowedin the **R-2 and R-3 Residential zoning districts**. The number of units depends on the size of the lot they are built on.

These photographs show a townhouse development recently completed in a neighboring city on the Peninsula. The project includes individual entries and using color, setback, and material changes to differentiate each home. The project also features multiple exterior materials, overhangs and projections, planting areas, outdoor private space, visually screened mechanical equipment, and parking accessed from the rear of the units.

Q10 What design elements do you find appealing? Check all that apply.

Answered: 86 Skipped: 19



#	OTHER (PLEASE SPECIFY)	DATE
1	I like the different windows and window treatments.	9/1/2021 10:58 AM
2	too many people	8/1/2021 7:37 PM
3	The buildings are pretty. It would give the areas in Brisbane a lot more personality. A lot of buildings on Visitation, are tired and flat. I would love to see more personality and character to our little town. I would love to see more of a “Craftman” type of home in Brisbane.	7/23/2021 4:57 PM
4	Didn't understand 'Additional building height at corners'.	7/22/2021 4:10 PM
5	Vintage and classic styling.	7/22/2021 6:14 AM
6	No more townhomes	7/8/2021 4:06 PM
7	*No more than 3 stories high	7/7/2021 8:25 PM
8	5	7/7/2021 7:36 PM
9	As varied and unique as possible. No cookie cutter buildings. I think the quality of materials is more important. Look at old and newer parts of Sausalito and you will see what I mean. Marin City. The setback is important in this regard as well. Room for design elements (atriums, breezeways, etc.) is key.	7/3/2021 6:33 AM
10	Architectural details and fact that these would blend nicely with single family homes and not look obtrusive.	7/2/2021 12:00 PM
11	Above grade first floor	7/1/2021 3:01 PM

Q11 Please tell what else you do or do not like about this development.

Answered: 27 Skipped: 78

#	RESPONSES	DATE
1	I don't really like the cement stairs, or maybe it's the entryway feels cold.	9/1/2021 10:58 AM
2	trees are too big for such new construction.	8/27/2021 10:30 PM
3	I like the wide sidewalks, which encourages pedestrians/joggers.	8/21/2021 4:28 PM
4	No Garages-No Parking	8/17/2021 9:34 AM
5	The units in the photos are quite unattractive even though they incorporated the design elements I have checked. The elements are haphazard and thrown together in a need to fulfill a checklist rather than for an aesthetic purpose.	8/16/2021 8:51 AM
6	These are popping up everywhere and ultimately looks generic. The most interesting thing about walking around in Brisbane is all the home styles that were created over the years. These just scream mid-2010s.	8/14/2021 7:22 AM
7	visible balconies looks unappealing when it gets cluttered with hanging laundry or is used for storage	7/28/2021 8:07 AM
8	Don't like the additional building height at corners	7/27/2021 6:58 PM
9	I like the downward facing street lamps. I like the porches on the units. I'd prefer to see bigger eaves, as the additional shade would help with cooling on large stucco / hardi sided walls.	7/26/2021 8:34 AM
10	Doesn’t look like you get much privacy. Buildings butt up to others and you’re at the mercy of your neighbors to not be rowdy and keep their outside area looking pristine. I also would not like the condos to be too tall. I would love to see “Craftsman” type of design to these homes. Go the extra mile and make them look like something you’d want to go home to.	7/23/2021 4:57 PM

11	Too boxy, window shapes look mismatched; taller height at corner is odd; brick and wood seem to clash; entry stairs impossible for strollers or people with limited mobility.	7/22/2021 7:47 PM
12	I do not see any green space/garden space for the units.	7/22/2021 4:41 PM
13	It looks conservative and tasteful -- not interested in wild designs which may age quickly.	7/22/2021 4:10 PM
14	The street parking spaces not maximized due to curve in sidewalk	7/22/2021 3:43 PM
15	Too many different colors on the corner. Looks like a clown disguise. No body is fooled.	7/22/2021 6:14 AM
16	No concerns with this ktype of housing.	7/17/2021 4:04 PM
17	The landscaping could be more appealing (plant choices are pretty generic), the setbacks could be larger and the third floor rooms at the end of the buildings look odd and probably not very useful in a floorplan	7/15/2021 9:05 PM
18	I don’t care for the corner unit and the height of the corner, I think I would prefer the top to be the full space of the corner unit. Looks strange like it’s just one bedroom. Have it match the lower floor width	7/13/2021 8:59 PM
19	I feel like individual housing is the best	7/8/2021 4:06 PM
20	like the large patio/porch spaces on the corner unit - very inviting	7/8/2021 8:45 AM
21	*It's unclear whether these homes have sufficient parking available. *Are these homes ADA compliant? They don't look like it. *There should be solar panels on the rooftops.	7/7/2021 8:25 PM
22	All the new Multi dwelling’s should be limited to two stories.	7/7/2021 7:36 PM
23	I like the wooden arbor	7/7/2021 10:21 AM
24	I DO NOT like the homogenized look of these type of buildings, in addition to the inexpensive materials that do not hold up to basic weathering and wear and tear. Central Brisbane is unique and beautiful and the variety of materials, styles is what makes it.	7/3/2021 6:33 AM
25	Nothing	7/2/2021 12:00 PM
26	While there is attractive landscaping in the front of these buildings, none of it is flat. More flat spaces would be conducive to impromptu neighbor gatherings a more human feel to the area and a connected community.	7/1/2021 3:01 PM
27	I would not live in a development-- no uniqueness	7/1/2021 2:27 PM

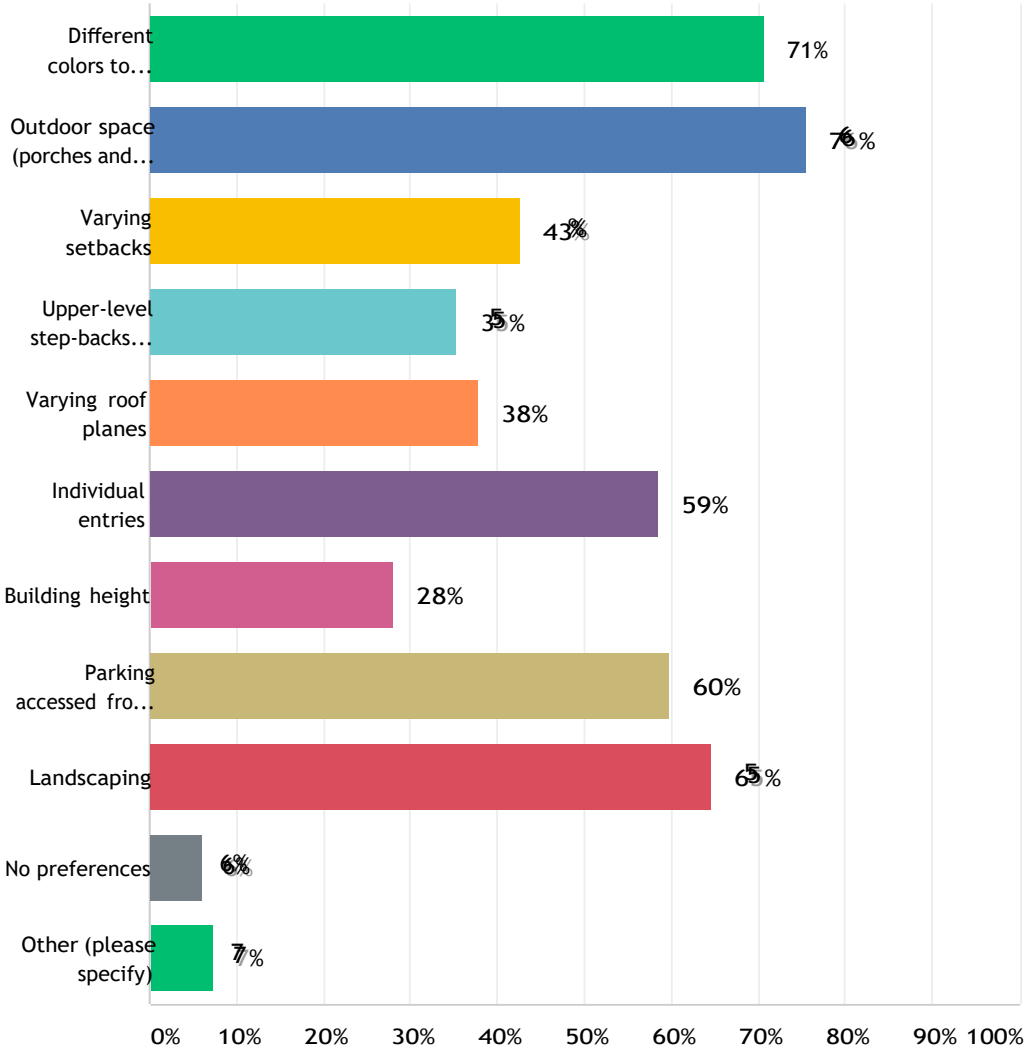
TOWNHOUSES – Example 2 of 3
(Questions 12-13)

Townhouses are multi-floor homes that share one to two walls with adjacent homes and have their own entrances. Townhouses can be rented, or owned if established as a condominium development. In Brisbane, townhouses are allowedin the **R-2 and R-3 Residential zoning districts**. The number of units depends on the size of the lot they are built on.

These photographs show the main and alley sides of a townhouse development recently completed in a neighboring city on the Peninsula. The project includes individual entries and uses color and setback changes to differentiate each home. It also incudes overhangs and projections, planting areas, outdoor private space, upper-level step-backs (partial), an entry level elevated above the sidewalk, and parking accessed from a rear alley or garage court.

Q12 What design elements do you find appealing? Check all that apply.

Answered: 82 Skipped: 23



#	OTHER (PLEASE SPECIFY)	DATE
1	I like this much better than the last one. Front garden areas are really nice, very Brisbane. Very individualized homes.	9/1/2021 10:59 AM
2	Much better looking than the first photo. Looks like different houses, really.	7/22/2021 6:16 AM
3	*No more than 3 stories high.	7/7/2021 8:31 PM
4	#2 looks like #2	7/7/2021 7:39 PM
5	Viable individual front yards	7/2/2021 12:03 PM
6	Glat fron yards are conducive to neighbors gathering with each other.	7/1/2021 3:04 PM

Q13 Please tell what else you do or do not like about this development.

Answered: 31 Skipped: 74

#	RESPONSES	DATE
1	These look a bit too cookie-cutter.	8/31/2021 5:11 PM
2	Top photo - no setback, insufficient landscaping.	8/30/2021 11:10 PM
3	High population density.	8/29/2021 6:50 PM
4	Needs more texture and more variety in set backs	8/28/2021 2:16 PM
5	I dislike that off the bat, color is the only quick, easy way to differentiate the homes from each other. Other than color, they seem very monotonous.	8/21/2021 4:30 PM
6	To close together	8/17/2021 9:34 AM
7	Even though I feel the structures in one of the photos are too close to the sidewalk, the overall aesthetics are better than in Example 1	8/16/2021 8:58 AM
8	A little better than the first example, but still very generic.	8/14/2021 7:23 AM
9	I prefer the set back, yards, and landscaping of photo 2	8/12/2021 7:55 PM
10	white trim seems to highlight the height of the structure.	7/28/2021 8:11 AM
11	Don't like that set-backs are missing on individual units -- they look too flat from top to bottom.	7/27/2021 7:00 PM
12	The eaves are way too small, and the arched window and the one oval window are so out of place. I also think fake lites in the windows should be banned altogether (along with fake shutters.)	7/26/2021 8:38 AM
13	I like the diversity of the first one better; the second here is less visually interesting to me.	7/25/2021 10:33 PM
14	Much better than prior development; looks like a true neighborhood with a front yard, etc.	7/22/2021 7:48 PM
15	I really like the yards/gardens and the character they provide for each home.	7/22/2021 4:42 PM
16	They look attractive to me, and give the owners a real sense of individuality and pride of ownership.	7/22/2021 4:13 PM
17	Lack of setbacks and yards.	7/22/2021 6:16 AM
18	No preferences	7/19/2021 3:13 PM
19	The to[example looks too repetative.	7/17/2021 4:07 PM
20	These are much better than the first example. Front yards could be bigger, if possible. Large front porch on the house on the right is really nice as is the trellis in front of the house at the end.	7/15/2021 9:11 PM
21	Looks like a nice housing project.	7/13/2021 5:12 PM
22	*Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:31 PM
23	As stated #2 looks like #2	7/7/2021 7:39 PM
24	These are less visually appealing somehow as compared to the first one	7/7/2021 10:25 AM
25	Lack of privacy in backyard	7/5/2021 10:48 AM
26	Front looks very close to sidewalk.	7/3/2021 6:55 AM
27	Do not like the same type materials/texture.	7/3/2021 6:35 AM
28	Not enough space between buildings so the alley is narrow	7/2/2021 7:18 PM

29	You have shown two VERY DIFFERENT townhome designs. You should allow us to comment on them separately since they each have a different look. The first one is void of architectural features while the second one has lots of nice details.	7/2/2021 12:03 PM
30	The garage in front, with no setback is cold and very uninviting. It discourages community interaction and hinders the development of community.	7/1/2021 3:04 PM
31	Same comment	7/1/2021 2:28 PM

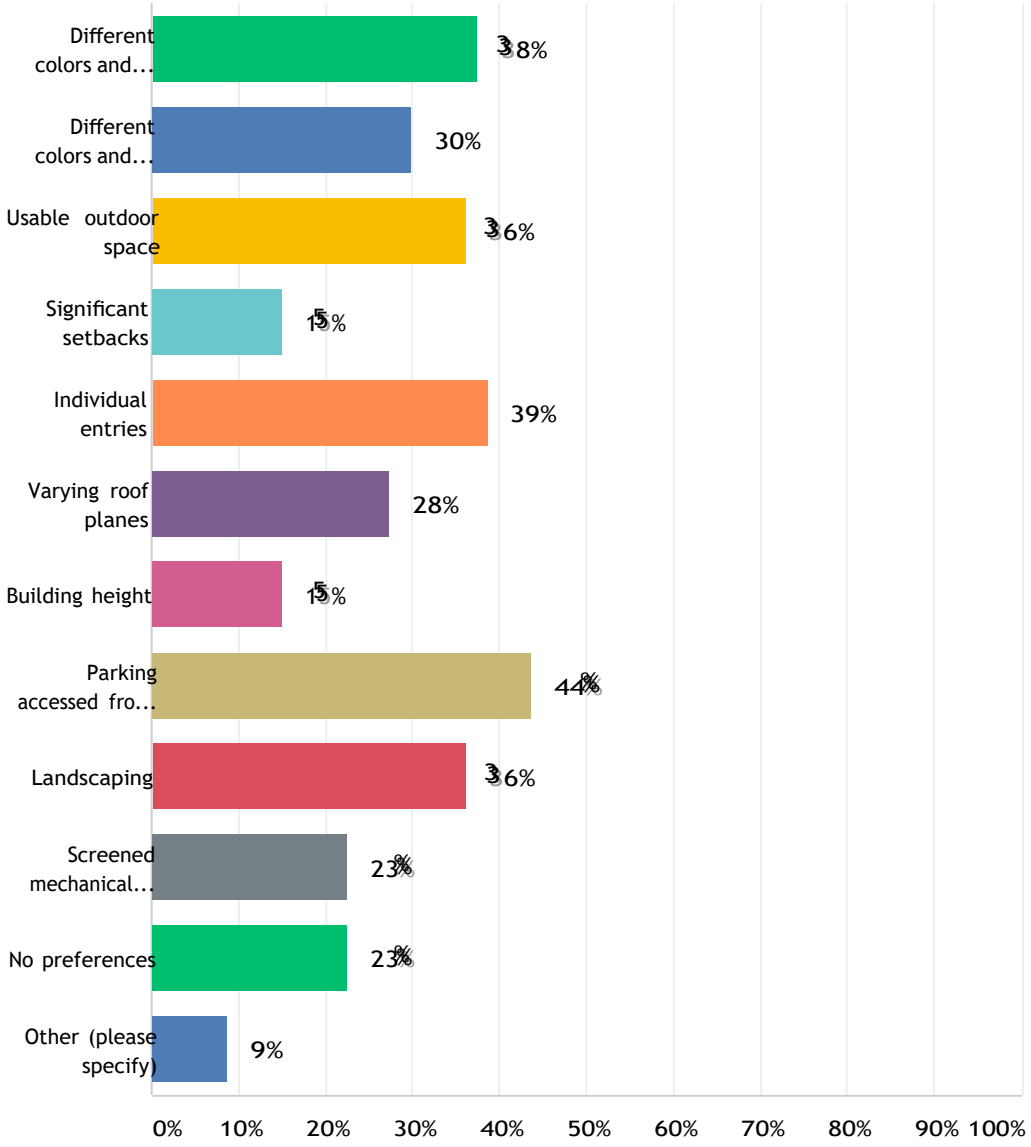
TOWNHOUSES – Example 3 of 3
(Questions 14-15)

Townhouses are multi-floor homes that share one to two walls with adjacent homes and have their own entrances. Townhouses can be rented, or owned if established as a condominium development. In Brisbane, townhouses are allowed in the **R-2 and R-3 Residential zoning districts.** The number of units depends on the size of the lot they are built on.

This photograph shows a three-story townhouse development recently constructed in a neighboring city on the Peninsula. The project includes differing colors and materials at the ground floor, varying rooflines, setbacks and step-backs to articulate a long façade, usableoutdoor space with fencing of limited height along the sidewalk, and parking accessed fromrear alley or garage court (not pictured).

Q14 What design elements do you find appealing? Check all that apply.

Answered: 80 Skipped: 25



#	OTHER (PLEASE SPECIFY)	DATE
1	Not right for Brisbane.	9/1/2021 11:02 AM
2	looks like an institution	8/1/2021 7:39 PM
3	Nothing	7/22/2021 7:49 PM
4	None of the above this design is garbage.	7/7/2021 7:41 PM
5	Combination of wood, glass and metal is beautiful!	7/3/2021 6:58 AM
6	nothing is appealing about this design	7/1/2021 3:28 PM
7	Don't like it	7/1/2021 2:28 PM

Q15 Please tell what else you do or do not like about this development.

Answered: 37 Skipped: 68

#	RESPONSES	DATE
1	I like it but not for Brisbane. Not a "hometown feel" but rather a housing strip on El Camino Real	9/1/2021 11:02 AM
2	Like the more modern look of these as opposed to the previous 90s look.	8/31/2021 5:12 PM
3	Would prefer more landscaping and common area seating or pathways around building.	8/30/2021 11:12 PM
4	Ugly	8/29/2021 6:50 PM
5	This is off putting to me. Please don't ever build anything like this in Brisbane.	8/28/2021 2:20 PM
6	Too crowded	8/17/2021 9:35 AM
7	Not much landscaping	8/16/2021 12:58 PM
8	Aesthetically this is the most pleasing of the examples. Color, materials, and articulation are complementary and well-balanced. The overall structure is fairly massive and imposing so its location and proximity to existing builds is important.	8/16/2021 9:12 AM
9	I find this design relatively cold, and it does not feel like a community neighborhood	8/12/2021 7:58 PM
10	needs more camouflage on the ground level like how Santa Row in Santa Clara has murals painted on the buildings or like Stanford mall in Palo Alto has murals in the off shoots from the main mall walkway. The artwork provides visual interest.	7/28/2021 8:15 AM
11	Too modern; don't like the materials, almost too industrial-looking.	7/27/2021 7:02 PM
12	I think the eaves should be even bigger, but at least it's a start.	7/26/2021 8:40 AM
13	This has the feeling of something modern at the moment that might look dated in a couple of years.	7/25/2021 10:34 PM
14	Too modern for Brisbane	7/23/2021 11:27 PM
15	This building looks like it could be an office building or anything else, but not someone’s home.. Nothing individual to tell whose home is whose. There is minimal green space. I wouldn’t feel safe living on the ground floor. Don’t like this one at all.	7/23/2021 5:19 PM
16	Least favorite, personal preference and previous negative experience.	7/22/2021 9:51 PM
17	Too urban/modern. Not good for Brisbane.	7/22/2021 7:49 PM
18	Outdoor space seems paltry.	7/22/2021 4:42 PM
19	Love many looking modern structures, but prefer the previous ones. However, am aware that cost has much to do with the final product...	7/22/2021 4:20 PM
20	What useable space? What significant setbacks? It’s built right up to the sidewalk. Out door setting and display space is important these day.	7/22/2021 6:18 AM
21	I do not like this style of architecture. It looks too institutional	7/17/2021 4:08 PM
22	This is hideous. Can't even tell where the entry doors are, the colors are awful, there are no plants, there is no setback from the street, the balconies face a four lane street.	7/15/2021 9:15 PM
23	This is too modern for Brisbane. I can’t identify the features that make it so. Perhaps the flat roof and generally flat facade.	7/14/2021 1:34 PM
24	Do not like the development at all. No character and boxy looking dark colors and doesn’t look like town homes	7/13/2021 9:03 PM
25	I don't like the "standard" monotone look	7/13/2021 6:11 PM
26	This is awful. Does not fit the charm of Brisbane. Very boxy too.	7/13/2021 5:16 PM

27	The ‘usable’ outdoor space seems very small and impractical to actually use	7/9/2021 8:46 PM
28	To official/industrial looking	7/8/2021 4:08 PM
29	*These look ugly, like poorly designed college dormitories. *Ugly colors. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:35 PM
30	The design is horrible.	7/7/2021 7:41 PM
31	Ugly. Modern boxy design is just ugly. A huge “no” from me.	7/7/2021 10:26 AM
32	No charm	7/5/2021 10:48 AM
33	The pseudo decks on street level are rarely used/well and just collect garbage and have poor lighting.	7/3/2021 6:37 AM
34	It looks like an apartment house.	7/2/2021 10:20 PM
35	Too dense	7/2/2021 7:19 PM
36	Very flat front. Too much concrete in front and stucco. The porches are a nice touch but the building still has too much flat frontage. The large amount of stucco at the bottom makes this look like a commercial building. The ground-level doorways are like hollow holes and very unwelcoming.	7/2/2021 12:06 PM
37	do not like this design at all	7/1/2021 3:28 PM

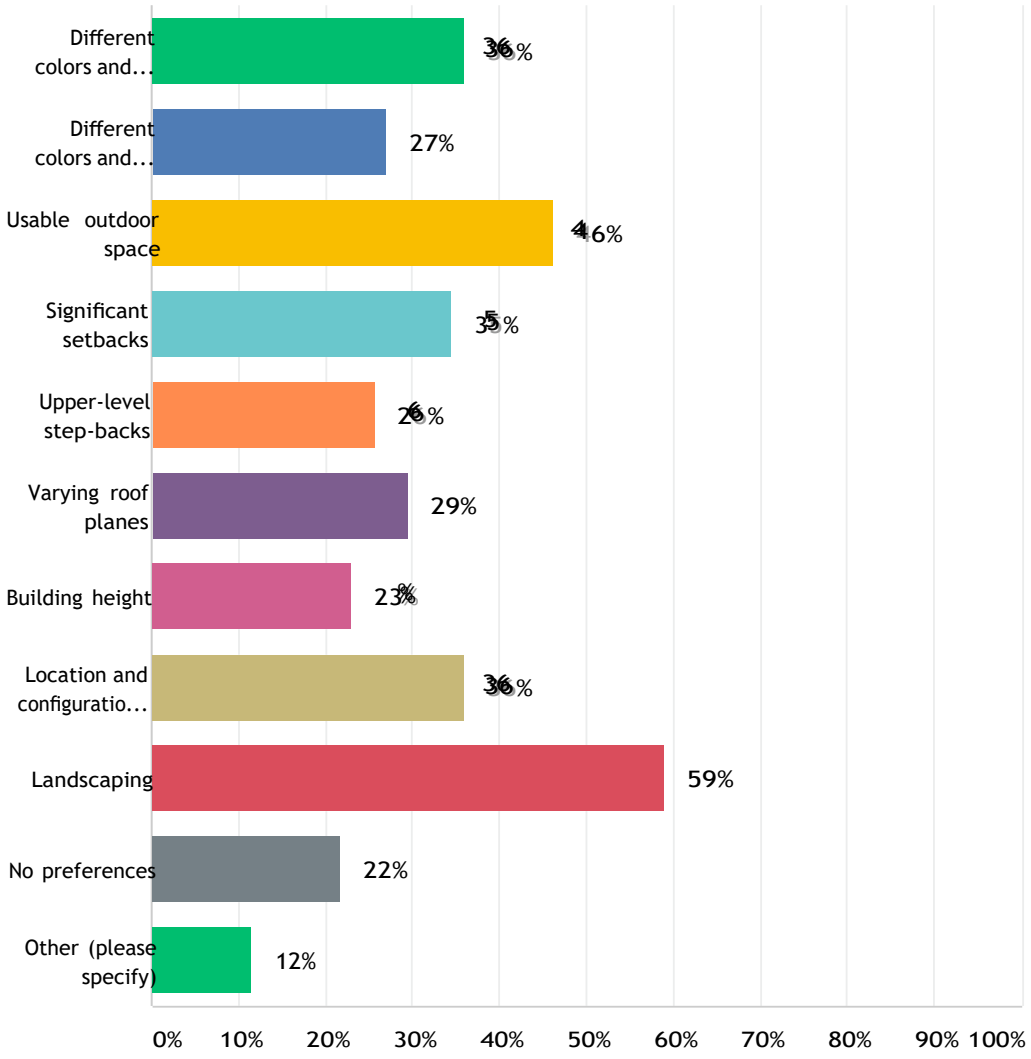
MULTI-FAMILY RESIDENTIAL (1-3 STORIES)
(Questions 16-17)

“Multi-family Housing” includes apartment buildings (multiple rental units in the same building) that are up to three stories tall. Given the maximum height limit of30-35 feet for such buildings (depending on the zoning district), three stories is typically the maximum height for any new multi-family housing in Brisbane.

This photograph shows a three-story multifamily development recently completed in a neighboring city on the Peninsula. The project includes differing colors and materials at the ground floor, significant setbacks, and varying rooflines to articulate a long façade, usable outdoor space with fencing of limited height along the sidewalk, a stepdown of building height near neighboring low-rise buildings, and residential parking accessed from a single garage entry.

Q16 What design elements do you find appealing? Check all that apply.

Answered: 78 Skipped: 27



#	OTHER (PLEASE SPECIFY)	DATE
1	Underground parking is nice.	9/1/2021 11:08 AM
2	looks too busy	8/1/2021 7:40 PM
3	different textures w/similar earth tones & natural color pallet	7/28/2021 12:20 PM
4	This one is not something I'd want to live in. It looks like an apartment building with mostly flat walls. No character.	7/23/2021 5:23 PM
5	*Three stories high or less, as it should be.	7/7/2021 8:39 PM
6	Lower buildings heights with decks	7/7/2021 7:46 PM
7	Visually appealing. Looks like a mix of house and condo.	7/3/2021 7:00 AM
8	do not like the design	7/1/2021 3:29 PM
9	Don't like it. Dobnot wantvadjoining walls	7/1/2021 2:29 PM

Q17 Please tell us what else you do or do not like about this development.

Answered: 26 Skipped: 79

#	RESPONSES	DATE
1	I would have liked to see other examples. This complex is very outdated.	9/1/2021 11:08 AM
2	Windows are small, color variation between units should be more noticeable and bright. Has boxy look.	8/30/2021 11:14 PM
3	Ugly	8/29/2021 6:51 PM
4	This looks too cookie cutter	8/28/2021 2:22 PM
5	Could block neighbor's view	8/17/2021 9:37 AM
6	I understand the need for high-density housing. The overall design of these structures is fine but the location in town will be the most critical factor.	8/16/2021 9:18 AM
7	It would be nice to have signage or visible markings for pedestrians that cars come may frequently come in/out of garage.	7/28/2021 12:20 PM
8	don't like the material	7/27/2021 7:03 PM
9	I like this one.	7/26/2021 8:41 AM
10	Don’t like the overall look, too boxy and dark	7/22/2021 7:49 PM
11	Nice looking units, but none so far have the charm of the initial offering.	7/22/2021 4:22 PM
12	Too many landscapes	7/22/2021 3:48 PM
13	Photo number two is best except this one has more green space. Otherwise too modern. Our town is cute. This is too modern and boxy to fit in.	7/22/2021 6:20 AM
14	The lower example looks too cluttered and "busy."	7/17/2021 4:10 PM
15	This is a pretty good looking apartment building. The pipes sticking out of the ground next to the garage entrance look kind of odd.	7/15/2021 9:18 PM
16	Do not like the earth tones not much of a difference in the colors not very appealing even with all the varying set backs	7/13/2021 9:05 PM
17	Too tall and boxy.	7/13/2021 5:16 PM
18	like the stepdown of building height near neighboring shorter buildings	7/8/2021 8:49 AM
19	*Boring colors, but not horrible. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:39 PM
20	Buildings over two stories should a no go, and for the most part these homes look like trash.	7/7/2021 7:46 PM
21	Too cookie cutter!	7/7/2021 10:29 AM
22	Don’t like the garage	7/5/2021 10:49 AM
23	Too many units; doe not fit with current housing	7/2/2021 7:20 PM
24	First photo has large expanses of brick and wood blank walls.	7/2/2021 12:09 PM
25	design is boring	7/1/2021 3:29 PM
26	Monochromatic, no feeling of a home; from the appearance it could be homes or offices.	7/1/2021 3:06 PM

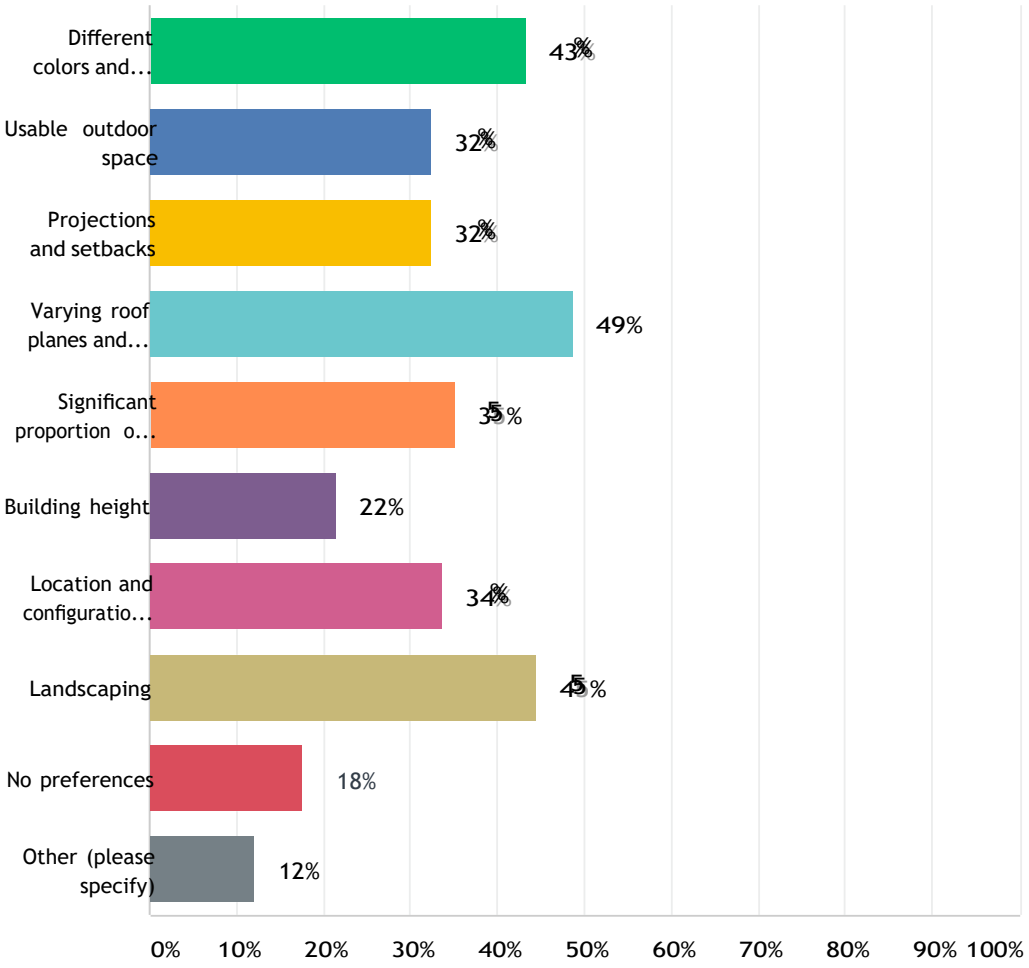
MULTI-FAMILY RESIDENTIAL (4-5 STORIES) – Example 1 of 2 (Questions 18-19)

In Brisbane, the height of residential and mixed-use buildings is typically limited to three stories. However, the City needs to be prepared to consider developmentsthat exceed the maximum height limit if developers request an adjustment to theheight limit as part of a “density bonus” request under State density bonus law [2] and streamlining laws like Senate Bill (SB) 35 [3] that allow developers to exceed
or modify local development standards as a condition of providing affordable housing. Adopting design standards for taller developments will help the City tocontrol the design of such developments to make sure they are sensitive to surrounding development.

This photograph shows a four-story multifamily development recently built in a neighboring city on the Peninsula. The project includes differing colors, textures, and materials at the lower levels, varying setbacks, protrusions and varying rooflines to articulate the long façade (including a significant proportion of step-backs along the fourth floor), usable outdoor space with fencing, and residential parking accessed from a single garage entry along the main road.

Q18 What design elements do you find appealing? Check all that apply.

Answered: 74 Skipped: 31



#	OTHER (PLEASE SPECIFY)	DATE
1	This Mediterranean look is much better than the dated photos from the Multi-family example.	9/1/2021 11:08 AM
2	Beautiful design, reminds me of southern CA (San Diego, Santa Barbara) with a modern twist.	8/30/2021 11:15 PM
3	Just NO.	8/16/2021 9:21 AM
4	DEFINATELY way too large and tall. for this town'	8/1/2021 7:41 PM
5	didn't find anything aesthetically pleasing but this question required an answer in order to proceed with survey.	7/28/2021 12:25 PM
6	Getting more obtrusive to me, but still very attractive.	7/22/2021 4:30 PM
7	The upper level isn’t set back.	7/22/2021 6:22 AM
8	tile roof	7/15/2021 8:53 AM
9	Don't like it	7/3/2021 7:02 AM

Q19 Please tell us what else you do or do not like about this development.

Answered: 27 Skipped: 78

#	RESPONSES	DATE
1	Nice premium roofing. Looks classy.	8/31/2021 5:14 PM
2	Better use of color, texture and contrasting architectural elements than the previous 2 examples. Not crazy about 4 stories but this one is pretty well done.	8/28/2021 2:25 PM
3	They are just apts.	8/17/2021 9:39 AM
4	I am not in favor of any structure over 3 stories in Brisbane. PERIOD.	8/16/2021 9:21 AM
5	The size and height of these seem too big for Brisbane.	8/14/2021 7:33 AM
6	Honestly this survey makes no sense to me. I don't differentiate between these types of housing	8/13/2021 7:05 PM
7	don't care for the 4 story height--too high for a small city of Brisbane. More appropriate for a larger city. Not enough setback, feels crowded.	7/28/2021 12:25 PM
8	don't like the style with tile roof and iron railings	7/27/2021 7:06 PM
9	The stucco walls will just bake all day and everybody will run their air conditioners all day to make up for it. Brisbane doesn't seem like the right setting for this spanish style architecture.	7/26/2021 8:43 AM
10	Can’t really see the outdoor space	7/25/2021 10:37 PM
11	Gorgeous! Love the roof, balconies, overall flow.	7/22/2021 7:50 PM
12	You can never go wrong with Mediterranean architecture -- i.e., Stucco, tile roofs, and a creative archway here and there.	7/22/2021 4:30 PM
13	May be too dense for City of Brisbane.	7/19/2021 11:01 AM
14	Building height	7/17/2021 10:51 AM
15	This is pretty horrible. I don't really see much differentiation in color or texture; this building looks like it would just get dirty fast, like a white carpet. There is no landscaping other than some scrubby bushes and there are no setbacks from the street. I bet the rent on this building is incredibly overpriced because of all the faux "Spanish" touches. The balconies are too small to be usable for anything.	7/15/2021 9:24 PM
16	Not as bad for being a large complex - could use a little more Color something not so drab	7/13/2021 9:07 PM
17	Generally do not believe this is good for our town.	7/13/2021 5:17 PM
18	This is a big square mess with uselessly small balconies and no real style to it.	7/9/2021 8:48 PM
19	I like some step-back of upper level, but this seems a bit extreme & like a loss of potential additional housing space/units	7/8/2021 8:52 AM
20	*I do not want construction higher than 3 stories. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:39 PM
21	These actually don’t look to bad but again to high. The state has thumbed its nose at the federal government we should do the same to the state.	7/7/2021 7:51 PM
22	The aesthetic is beautiful. Spanish style, curved wrought iron railings, tile roof.	7/7/2021 10:31 AM
23	Looks huge, like it is an institution or government building.	7/3/2021 7:02 AM
24	Not enough setback.	7/3/2021 6:48 AM
25	Too big	7/2/2021 7:20 PM
26	Ground floor is not welcoming. It's dark and the low concrete walls make it seem like a fortress where the upper stories feature openness and light.	7/2/2021 12:13 PM
27	Very compact which is not appealing - very congested	7/1/2021 3:31 PM

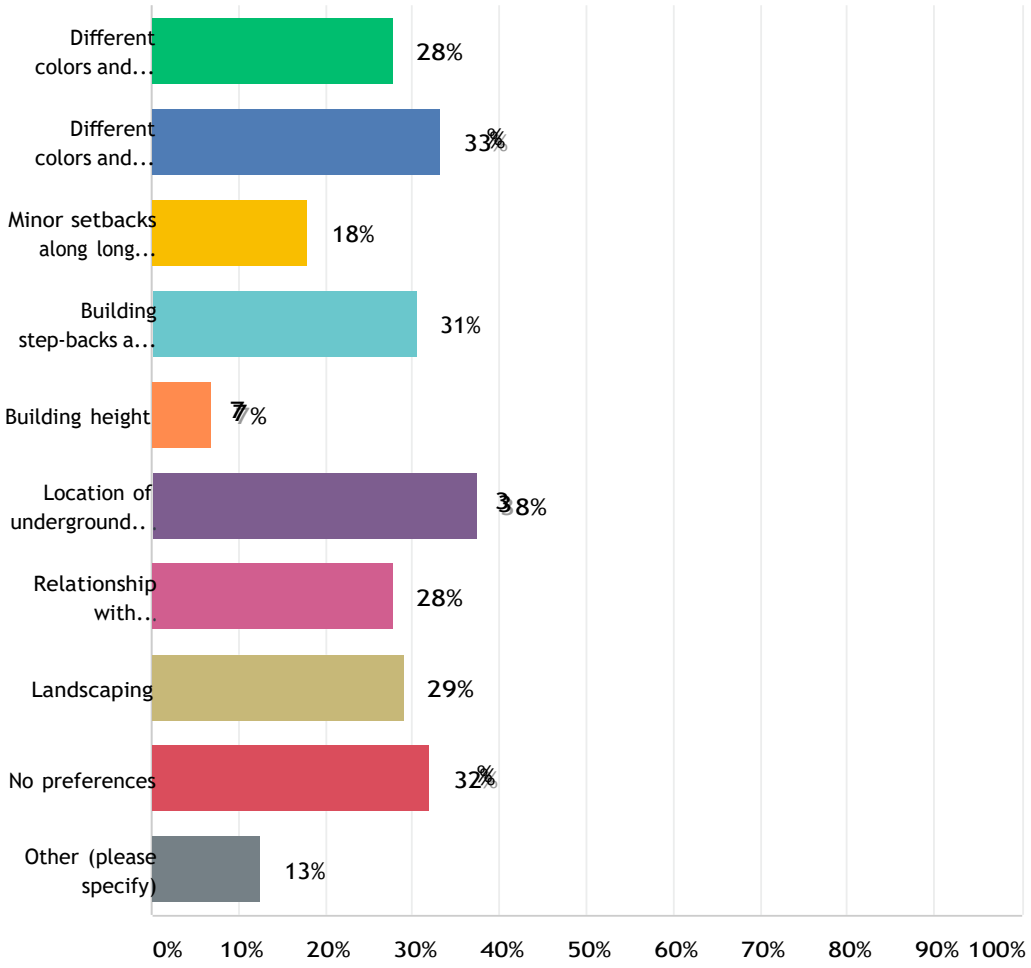
MULTIFAMILY RESIDENTIAL (4-5 STORIES) – Example 2 of 2 (Questions 20-21)

In Brisbane, the height of residential and mixed-use buildings is typically limited to three stories. However, the City needs to be prepared to consider developments that exceed the maximum height limit if developers request an adjustment to theheight limit as part of a “density bonus” request under State density bonus or streamlining laws. Adopting design standards for taller developments will help theCity to control the design of such developments to make sure they are sensitive to surrounding development.

The image shows a five-story residential project in a neighboring city on the Peninsula. One side of the building faces a lower-height residential neighborhood. The portion of the building adjacent to the lower-height residential buildings includes defined entry doors and stoops, significant step-backs at the fourth floor, and landscaping between the building and sidewalk. The building also features different exterior materials at the ground floor, underground parking not visible from the street, and minor setbacks along street frontages.

Q20 What design elements do you find appealing? Check all that apply.

Answered: 72 Skipped: 33



#	OTHER (PLEASE SPECIFY)	DATE
1	The trees are nice. At the very top steeple, they should have greenery. Sticks out like a sore thumb. Mural, garden rooftop, vines, dripping plants at the windows or balcony filled with greenery.	9/1/2021 11:17 AM
2	Varied building height makes tall building seem less imposing, and more likely to fit in with smaller buildings. Minimizes footprint.	8/30/2021 11:17 PM
3	NO	8/16/2021 9:22 AM
4	ridiculous for Brisbane, keep it small not filled to the brim	8/1/2021 7:42 PM
5	Not much to like	7/22/2021 7:51 PM
6	Way to imposing.	7/22/2021 4:35 PM
7	None looks like friggin crap	7/7/2021 7:53 PM
8	Don't like it.	7/3/2021 7:03 AM
9	not a big fan of this design - too congested	7/1/2021 3:32 PM

Q21 Please tell us what else you do or do not like about this development.

Answered: 26 Skipped: 79

#	RESPONSES	DATE
1	Looks more like a hotel than a residence and something next to a strip mall. Not my preference. Looks like something I'd find in San Jose not Brisbane.	8/31/2021 5:15 PM
2	This seems massive and would look very out of place in Brisbane.	8/28/2021 2:27 PM
3	I thought there was a water shortage?	8/17/2021 9:39 AM
4	Just too tall.	8/16/2021 9:22 AM
5	See previous response	8/13/2021 7:05 PM
6	same as previous 4 story development. Too high for Brisbane and not enough setback. Doesn't blend well with small city feel.	7/28/2021 12:27 PM
7	don't like the tile roof	7/27/2021 7:07 PM
8	The fake foam trim with stucco blown over it always looks cheap and terrible. I say let San Jose and it's neighbors keep this style to themselves. I would rather see solid flat walls than this. An industrial warehouse loft look would be way more fitting than this monstrosity.	7/26/2021 8:46 AM
9	Too big for Brisbane	7/25/2021 9:37 AM
10	Too tall	7/22/2021 7:51 PM
11	Just looking at the intersection where constructed, that certainly shows it is way out of scale for our little community.	7/22/2021 4:35 PM
12	Too big for Brisbane	7/22/2021 6:22 AM
13	Population density out of scale for Brisbane.	7/19/2021 11:02 AM
14	Building height	7/17/2021 10:52 AM
15	There is nothing likable about this building. This is the worse one yet, I have nothing positive to say about it.	7/15/2021 9:27 PM
16	Don’t think this would fit in old Brisbane maybe bay lands?	7/13/2021 9:09 PM
17	I don't care for the facade	7/13/2021 6:12 PM
18	*I do not want housing structures higher than 3 stories. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:39 PM
19	Again to darn high looks like garbage.	7/7/2021 7:53 PM
20	It’s not pleasant to look at. Example 1 of the 4-5 stories looked much better.	7/7/2021 10:34 AM
21	Looks like a care home for seniors with disabilities.	7/3/2021 7:03 AM
22	Too much height	7/3/2021 6:49 AM
23	Too big	7/2/2021 7:20 PM
24	Very "confused" architecture. The "columned" upper level porch in the first picture has possibilities, but they didn't carry it through the entire structure. While I usually commend architectural variety, this just looks like the architect threw the baby in with the bathwater to disguise an otherwise ugly stucco building. Absolutely NOTHING welcoming about the ground floor. This looks like ground floor retail with apartments above.	7/2/2021 12:19 PM
25	Very compact - not a fan	7/1/2021 3:32 PM
26	Ugly and cold	7/1/2021 3:08 PM

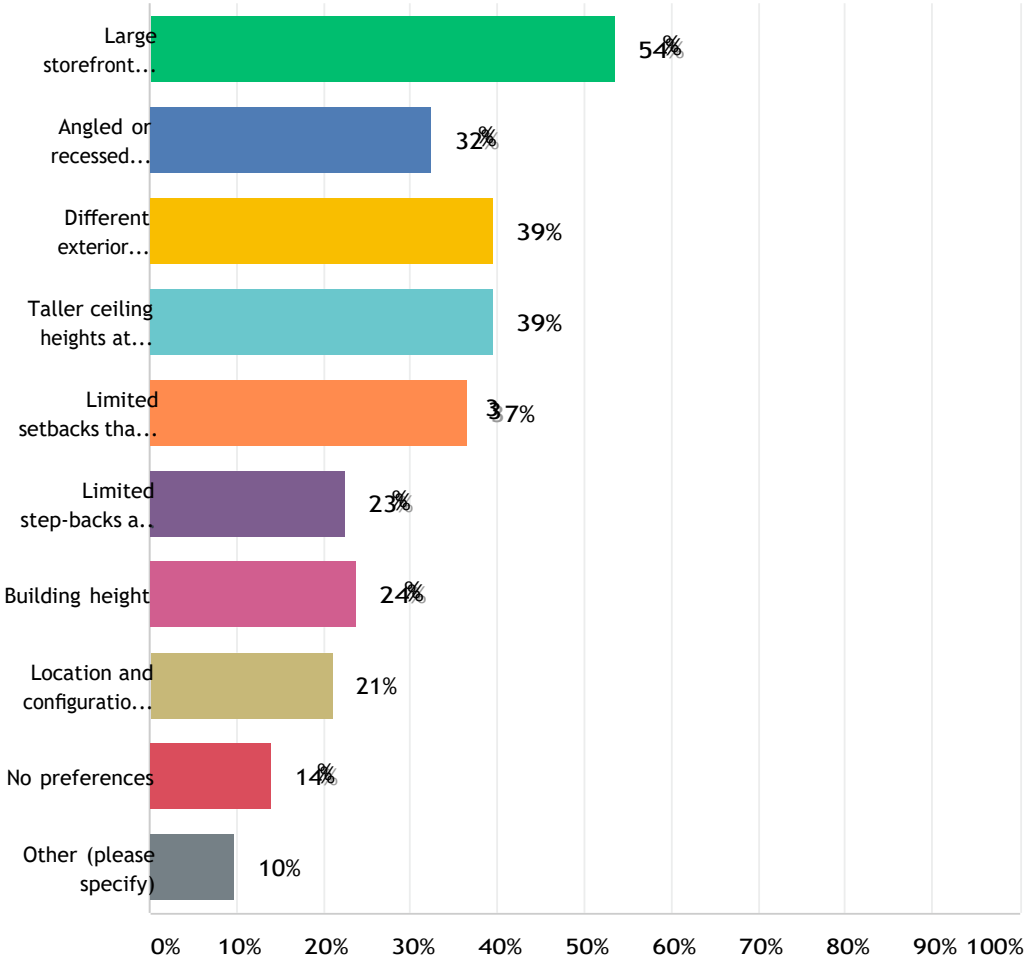
MIXED-USE (1-3 STORIES)
(Questions 22-23)

"Mixed-use" projects include any combination of housing and other land uses in the same building or on the same property. The NCRO-2 district includes properties along Visitacion Avenue and the first block of San Bruno Avenue, whichinclude a variety of commercial, residential, and mixed- uses. The district also features small, narrow lots and narrow sidewalks. The next three questions focus on encouraging new residential and mixed-use development that respects the intimate scale of downtown.

The image shows a recently approved mixed-use project on Visitacion Avenue in Brisbane ona typical 25-foot-wide lot. The ground floor includes required residential parking, driveway, aresidential entry (door), and leaves approximately one third of street frontage for commercial storefront (less than 600 square feet). The building also includes step-backs and outdoor space at upper floors.

Q22 What design elements do you find appealing? Check all that apply.

Answered: 71 Skipped: 34



#	OTHER (PLEASE SPECIFY)	DATE
1	Seems like it would in with existing downtown along Visitacion Ave. Good proportionality between retail and residential.	8/30/2021 11:19 PM
2	Mixed use.	8/29/2021 6:55 PM
3	BORING	8/1/2021 7:42 PM
4	Balconies	7/22/2021 7:52 PM
5	No architectural gem, but don't dislike a few here and there.	7/22/2021 4:38 PM
6	Nothing appealing about this building	7/13/2021 9:10 PM
7	Upper windows with grids allows it to blend with older structures. The facade over the ground floor is a nice statement of its retail nature.	7/2/2021 12:22 PM

Q23 Please tell us what else you do or do not like about this development.

Answered: 26 Skipped: 79

#	RESPONSES	DATE
1	It's a little bland and cold looking. Like that one built on the 100 or 200 block of San Bruno that is fairly new.	9/1/2021 11:21 AM
2	The concept is fine but this is missing architectural interest and it looks like the 3 stories don't belong together at all - like someone just stacked pieces together. There would need to be more to tie the 3 stories together or at least the top 2 stories and then add more differentiation at the ground floor.	8/28/2021 2:32 PM
3	It's ok	8/17/2021 9:41 AM
4	no commercial needed	8/2/2021 8:28 AM
5	location of parking, better if hidden from main street and safer for pedestrians.	7/28/2021 12:28 PM
6	don't like the flat boxy look; needs more interest with set-backs at upper levels	7/27/2021 7:08 PM
7	If you're not going to have eaves that serve a purpose, than you might as well get rid of them. Visually it's so much more appealing than an almost useless 1' overhang.	7/26/2021 8:48 AM
8	I don’t like where the parking is. Would prefer it in the back or alley way.	7/24/2021 5:29 PM
9	Don’t like - Looks very plain	7/22/2021 7:52 PM
10	Looks neat & efficient for a downtown city street.	7/22/2021 4:38 PM
11	Don’t need to include garage since no one parks cars in garage??	7/22/2021 3:51 PM
12	Ugly!! Would not fit in Brisbane. Modern brutalist	7/22/2021 6:24 AM
13	I hope it doesn't come to this.	7/17/2021 4:16 PM
14	The balconies are nice. It should be stepped back from the sidewalk with green space in front.	7/15/2021 9:30 PM
15	This is a boxy no character building	7/13/2021 9:10 PM
16	Boxy	7/13/2021 5:18 PM
17	This feels jammed into a very small lot. Requiring the garage seriously cuts into the viability of the commercial space	7/9/2021 8:51 PM
18	is it possible for residential parking to be access/located from the back of the building? Would rather see more of the ground level available for the storefront & parking be more hidden if feasible in a given location.	7/8/2021 8:57 AM
19	It's so boxy on top.	7/7/2021 9:02 PM
20	*Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:40 PM
21	No charm	7/5/2021 10:50 AM
22	Is such a small commercial space on Ground floor viable?	7/3/2021 7:05 AM
23	More setback.	7/3/2021 6:52 AM
24	Ground floor is a welcoming storefront.	7/2/2021 12:22 PM
25	As long as there is space between buildings, this design could work	7/1/2021 3:33 PM
26	Too urban for a suburban area. The recent ones I have seen built in Daly City and SSF are not working-the shops are all empty. That discourages the creation of community	7/1/2021 3:10 PM

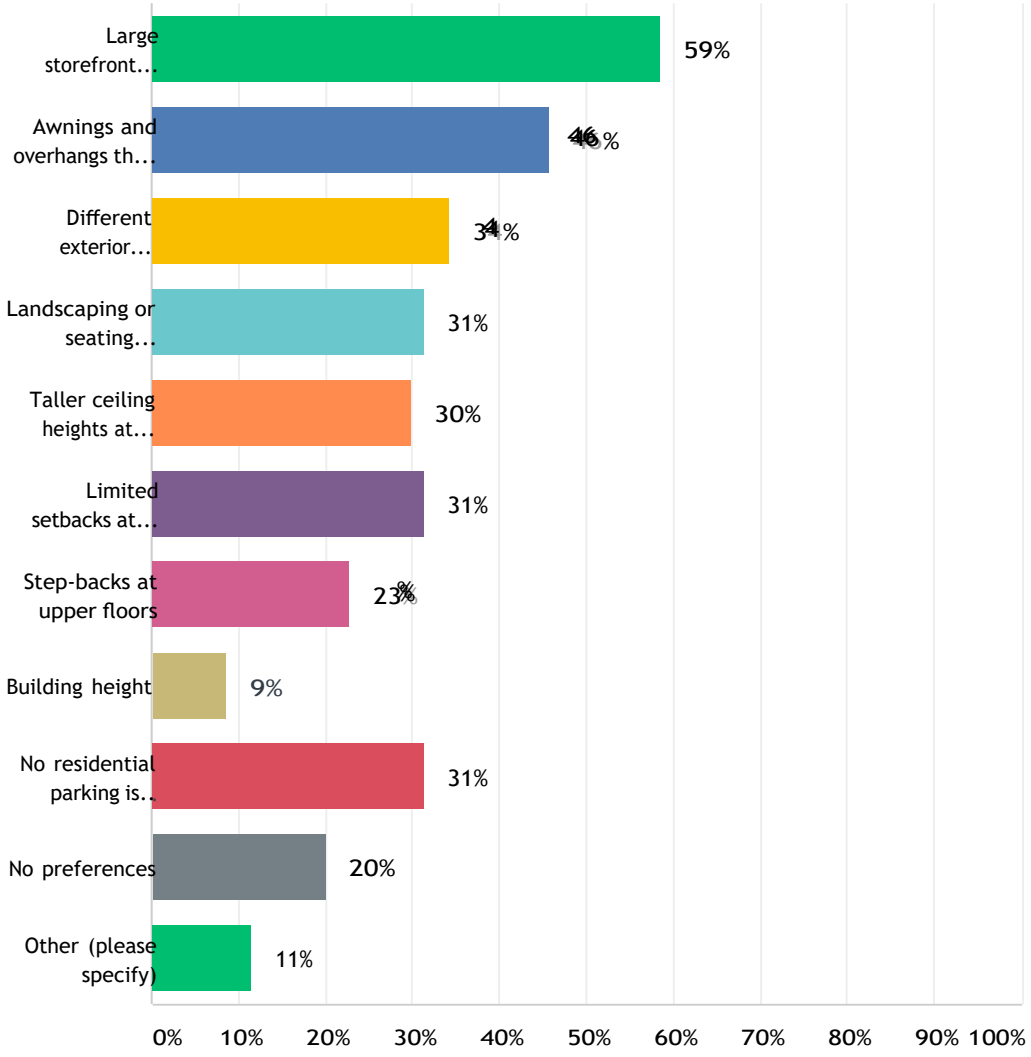
MIXED-USE (3-4 STORIES) – Example 1 of 2
(Questions 24-25)

In Brisbane, the height of residential and mixed-use buildings is typically limited to three stories. However, the City needs to be prepared to consider developments that exceed the maximum height limit if developers request an adjustment to theheight limit as part of a “density bonus” request under State density bonus or streamlining laws. Adopting design standards for taller developments will help theCity to control the design of such developments to make sure they are sensitive to surrounding development.

The images show a mixed-use project in a neighboring city on the Peninsula. The design includes a significant step-back at upper floors, usable outdoor space, generous glass storefronts, and no residential parking is accessed from the commercial street, allowing for larger commercial areas on narrow lots. It also includes small front setback allowing for plantings and bike racks on a narrow sidewalk.

Q24 What design elements do you find appealing? Check all that apply.

Answered: 70 Skipped: 35



#	OTHER (PLEASE SPECIFY)	DATE
1	Colors are nice.	9/1/2021 11:55 AM
2	Uggh.	8/16/2021 9:34 AM
3	FOR A LARGER TOWN, GO TO SSF! WE DO NOT HAVE MUCH OF A COMMERCIAL AREA, WE DON'T HAVE THE POPULATION OR FOOT TRAFFIC	8/1/2021 7:43 PM
4	Cool looking modern structure.	7/22/2021 4:43 PM
5	Xxx	7/10/2021 5:42 AM
6	I don’t find any close to appealing about this design.	7/7/2021 7:57 PM
7	Do not like it	7/3/2021 7:06 AM
8	Nothing appealing about this design	7/1/2021 3:33 PM

Q25 Please tell us what else you do or do not like about this development.

Answered: 31 Skipped: 74

#	RESPONSES	DATE
1	Again not sure if it fits Brisbane, but i like it compared to the other square building designs	9/1/2021 11:55 AM
2	Too boxy and contemporary. Would prefer more windows and less focus on concrete walls.	8/30/2021 11:21 PM
3	Having trouble with 4 stories but understand we may have to go there. The residential stories need more character. Even with the set backs this looks like a big box.	8/28/2021 2:36 PM
4	Commercial should be commercial, residential should be residential	8/17/2021 9:43 AM
5	That is one ugly building. Aside from the fact that I dislike the overall design of the structure, no thought was given to the visual impact on the neighborhood. Totally incongruous with adjacent structures. I'm trying to be objective but in my mind, there is no excuse for something like this other than a lack of knowledge of the community or just no caring.	8/16/2021 9:34 AM
6	This could work downtown in order to bring in more businesses, but I would be cautious of ousting existing businesses and the character of downtown currently.	8/14/2021 7:34 AM
7	its not needed	8/2/2021 8:28 AM
8	too modern, prefer more natrual/earthy look--needs more than clear/glass balcony to blend in	7/28/2021 12:31 PM
9	Don't like the materials used; looks to industrial	7/27/2021 7:09 PM
10	I'd have to say it's not worse than the visually appalling designs that surround it... Although, I feel like it will look dated sooner rather than later.	7/26/2021 8:52 AM
11	Does not fit with Brisbane aesthetic	7/23/2021 11:30 PM
12	Uhg! Too modern/boxy; generic Bay tech. Bland.	7/22/2021 7:52 PM
13	Lack of parking seems short-sighted for both business/commercial and residential aspects.	7/22/2021 4:44 PM
14	Again, too large for Visitacion or San Bruno Ave(s). Appears the size of the offerings are slowly getting larger once again. Look at the width of the sidewalks...	7/22/2021 4:43 PM
15	I don’t understand lots of the terms, is this survey going to end yet	7/22/2021 3:53 PM
16	Ugly!! Would not fit in Brisbane. Modern brutalist	7/22/2021 6:24 AM
17	Population density out of scale for Brisbane	7/19/2021 11:04 AM
18	This would be an improvement over just about anything currently located on Visitation Ave.	7/17/2021 4:19 PM
19	The upper floors aren't stepped backed, I don't know what you are talking about. Bushes aren't landscaping. the top of the building doesn't have anything to do with the bottom of the building.	7/15/2021 9:34 PM
20	Terrible looking	7/13/2021 9:11 PM
21	Not a fan of heightened commercial access	7/13/2021 6:13 PM
22	*I do not want mixed-use structures taller than 3 stories. *Ugly colors. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:42 PM
23	The darn thing is wrong for Brisbane.	7/7/2021 7:57 PM
24	Ugly	7/7/2021 10:36 AM
25	No	7/5/2021 10:51 AM
26	Looks huge and too heavy.	7/3/2021 7:06 AM
27	Too big and blocky. Architectural style not complementary to Brisbane.	7/3/2021 6:58 AM

28	Too tall	7/2/2021 7:22 PM
29	Size and massive nature of structure looks like it landed from Mars. It has made attempts at setbacks but the sides still have large masses of blank wall space. More balconies or windows to break up the space would have helped. If they had continued the orange and black on the front it would not look so large. The mass of white stucco is what makes it look imposing. Darker colors help hide the mass of a building.	7/2/2021 12:28 PM
30	Not a fan - very commercial feel - would NOT like this in Brisbane	7/1/2021 3:33 PM
31	This type of building needs a large consumer base to support the ground floor businesses. Brisbane does not have the critical mass to make this work	7/1/2021 3:12 PM

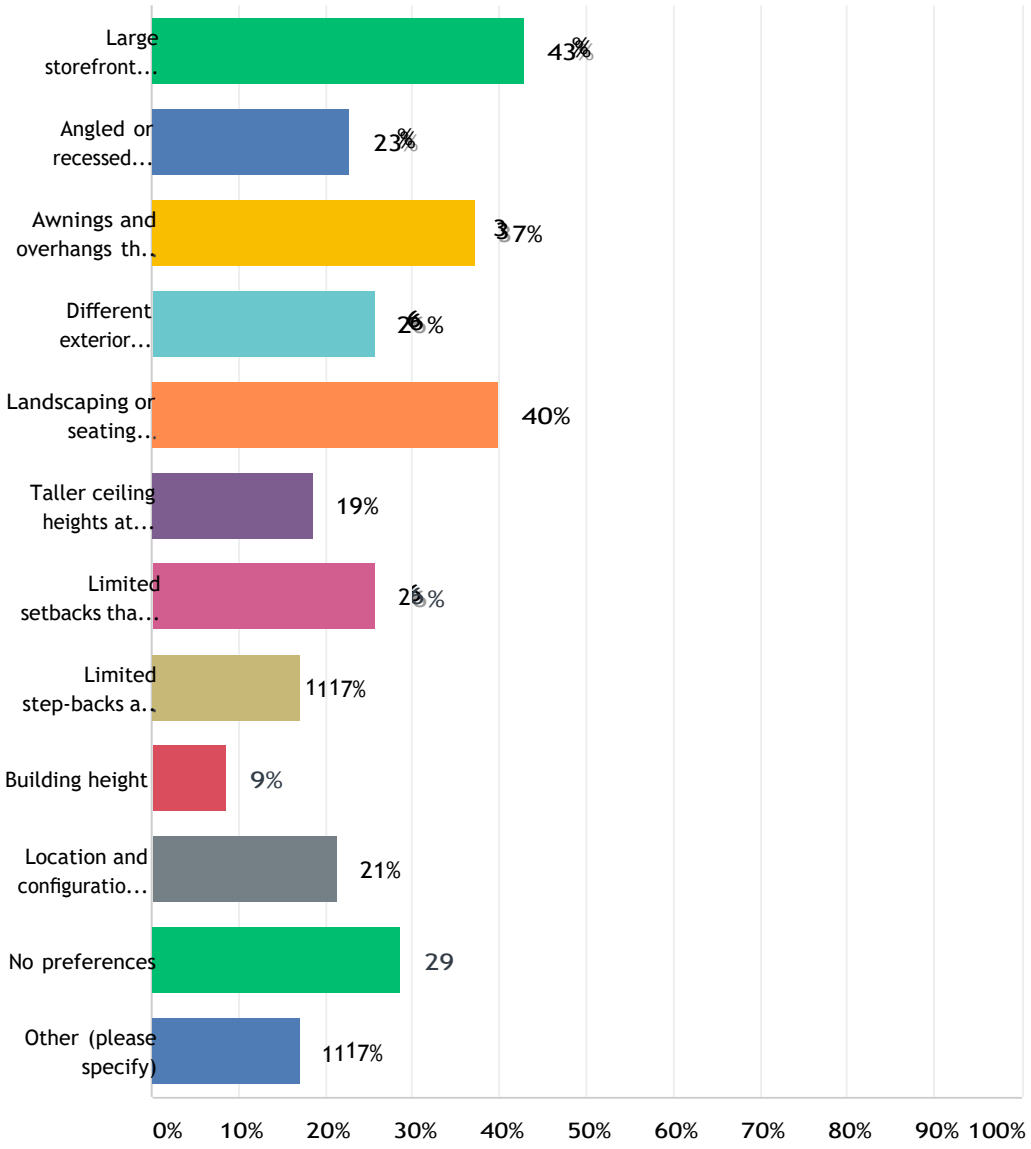
MIXED-USE (3-4 STORIES) – Example 2 of 2
(Questions 26-27)

In Brisbane, the height of residential and mixed-use buildings is typically limited to three stories. However, the City needs to be prepared to consider developments that exceed the maximum height limit if developers request an adjustment to theheight limit as part of a “density bonus” request under State density bonus or streamlining laws. Adopting design standards for taller developments will help theCity to control the design of such developments to make sure they are sensitive tosurrounding development.

The image shows a mixed-use project in a neighboring city on the Peninsula. The project includes step-backs at upper floors, usable outdoor space, generous glass storefronts, and no residential parking is accessed from the commercial street, allowing for larger commercial areas on narrow mixed use lots. It also includes a small setback allowing for plantings and seating on a narrow sidewalk.

Q26 What design elements do you find appealing? Check all that apply.

Answered: 70 Skipped: 35



Other (please specify)	17%	12
Total Respondents: 70		

#	OTHER (PLEASE SPECIFY)	DATE
1	Colors are nice	9/1/2021 11:55 AM
2	Too tall	8/16/2021 9:43 AM
3	Oh Stop! this is for a much larger city	8/1/2021 7:44 PM
4	Stop with the increasing size, please.	7/22/2021 4:46 PM
5	Out of scale for community	7/19/2021 11:05 AM
6	Nothing	7/13/2021 9:12 PM
7	I don't like this building	7/9/2021 10:52 PM
8	Not a darn thing.	7/7/2021 8:00 PM
9	Too tall	7/5/2021 10:51 AM
10	Don't like it	7/3/2021 7:07 AM
11	Wooden planter box on right front of building	7/2/2021 12:31 PM
12	Not a fan - too much of a commercial feel	7/1/2021 3:34 PM

Q27 Please tell us what else you do or do not like about this development.

Answered: 30 Skipped: 75

#	RESPONSES	DATE
1	Too boxy and modern. Too much concrete and not enough windows.	8/30/2021 11:22 PM
2	The residential floors are non-descript. Need more texture and interesting architectural elements. I imagine this looking very sad and dated in 10 years.	8/28/2021 2:41 PM
3	Horrible pack em in like sardines-Where's the water?	8/17/2021 9:45 AM
4	without getting into an in-depth critique of modern architecture, the main tenant is balance. This building lacks it. Also, again a lack of consideration of the structural landscape.	8/16/2021 9:43 AM
5	I don't see the difference in any of these. Please build affordable housing for all so we can alleviate the housing crisis!!!	8/13/2021 7:06 PM
6	more setback for outdoor seating and plants to hide the height of the building. Don't like the clear balconies since it will show clutter.	7/28/2021 12:33 PM
7	The covered porches are pretty cool. I don't dislike this one.	7/26/2021 8:53 AM
8	The first is more visually interesting to me than this second one.	7/25/2021 10:42 PM
9	Too big for Brisbane	7/25/2021 9:42 AM
10	Does not fit with Brisbane aesthetic	7/23/2021 11:31 PM
11	Nice sidewalk area, otherwise still too boxy and too modern.	7/22/2021 7:53 PM
12	Cold exterior design, and showing ugly 'parklets' no less...	7/22/2021 4:46 PM
13	Lack of parking is not ideal.	7/22/2021 4:45 PM
14	Ugly!! Would not fit in Brisbane. Modern brutalist	7/22/2021 6:25 AM
15	Population density out of scale for Brisbane	7/19/2021 11:05 AM
16	Stunningly unattractive.	7/17/2021 4:20 PM
17	This is a pretty good looking building. No landscaping but the seating area is nice except that stupid parklet needs to go. Balconies are really nice.	7/15/2021 9:39 PM
18	This is just a sad looking building	7/13/2021 9:12 PM
19	Dislike because of too much foot traffic	7/13/2021 6:14 PM
20	Not very homey.	7/13/2021 5:19 PM
21	*I do not want mixed-use structures taller than 3 stories. *Unpleasant colors, but not horrible. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:43 PM
22	The best thing about this design is if we’re never considered or built.	7/7/2021 8:00 PM
23	Ugly, but not as bad as other example in this category. Some of the mixed use ones in the video were nicer.	7/7/2021 10:39 AM
24	Looks strange	7/3/2021 7:07 AM
25	Too bulky	7/3/2021 6:59 AM
26	Always a flat roof -- can't the architects do better?	7/2/2021 10:28 PM
27	Too high	7/2/2021 7:23 PM
28	Can we say "ugly"? This is an eyesore. terrible use of colors and materials. Even the seating	7/2/2021 12:31 PM

	in front looks like an afterthought.	
29	Do not like this design - this is not Brisbane	7/1/2021 3:34 PM
30	Same as previous example, too urban. Leave this for SF and Oak	7/1/2021 3:13 PM

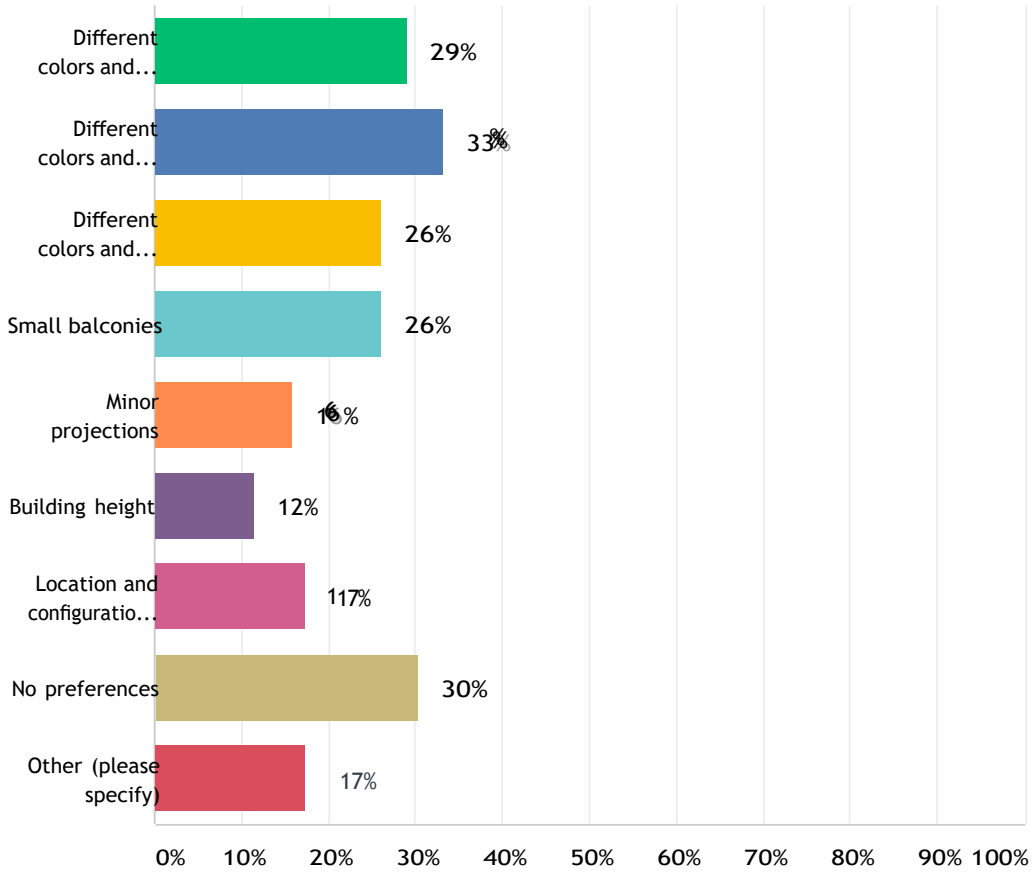
MIXED-USE (4-5 STORIES)
(Questions 28-29)

In Brisbane, the height of residential and mixed-use buildings is typically limited to three stories. However, the City needs to be prepared to consider developments that exceed the maximum height limit if developers request an adjustment to theheight limit as part of a “density bonus” request under State density bonus or streamlining laws. Adopting design standards for taller developments will help the
City to control the design of such developments to make sure they are sensitive tosurrounding development.

The image shows a 4-story mixed use project in a neighboring city on the Peninsula. The project features differing colors and materials at the ground floor, change of color and textureto suggest an upper floor setback, projections, canopies, and small balconies to break up the

Q28 What design elements do you find appealing? Check all that apply.

Answered: 69 Skipped: 36



#	OTHER (PLEASE SPECIFY)	DATE
1	Canopy is nice	9/1/2021 11:58 AM
2	Don't like this design. Too black and white.	8/31/2021 5:19 PM
3	The plaza concept is interesting.	8/28/2021 2:47 PM
4	too big	8/16/2021 9:45 AM
5	hideous	8/1/2021 7:45 PM
6	Not much is to like with this baby.	7/22/2021 4:50 PM
7	Out of scale, too busy	7/19/2021 11:06 AM
8	nothing	7/15/2021 9:42 PM
9	Again more garbage.	7/7/2021 8:01 PM
10	Cleaner lines. Nice outside space in front.	7/3/2021 7:09 AM
11	Arbors	7/2/2021 12:35 PM
12	Not a fan - too dense	7/1/2021 3:35 PM

Q29 Please tell us what else you do or do not like about this development.

Answered: 35 Skipped: 70

#	RESPONSES	DATE
1	Everything about it is ugly and cold for Brisbane. Natural colors only, bars are off-putting.	9/1/2021 11:58 AM
2	Not enough color, too much black/white, looks like a jail. Like common area in front of building with seating and shade structure. Balconies too small and don't like metallic materials.	8/30/2021 11:24 PM
3	Having trouble with 4 floors but 5 will seem very out of place. The projections, canopies and railing on the small balconies are all too much the same. This would look better with more varied pieces and perhaps color. Also there is choice about location and parking but it is not mentioned in the description.	8/28/2021 2:47 PM
4	seems antiseptic. i.m not fooled by the faux set backs.	8/27/2021 10:49 PM
5	Horrible	8/17/2021 9:45 AM
6	Uninspiring and imposing.	8/16/2021 9:45 AM
7	Doesn't fit with the character of Brisbane	8/14/2021 7:35 AM
8	I don't see the difference in any of these. Please build affordable housing for all so we can alleviate the housing crisis!!!	8/13/2021 7:06 PM
9	same as previous answer.	7/28/2021 12:35 PM
10	these small balconies are a joke. the minor projections are not that appealing. the darker colors aren't inviting	7/27/2021 7:12 PM
11	Those fake balconies are atrocious. Let the people sit outside on their balconies and enjoy a drink.	7/26/2021 8:56 AM
12	I find this one very meh.	7/25/2021 10:43 PM
13	Looks bulky	7/25/2021 9:43 AM
14	Still too bland	7/22/2021 7:54 PM
15	Generic and cheap looking comes to mind, (and already said I like some modern), but not his one.	7/22/2021 4:50 PM
16	No parking built into design is a negative.	7/22/2021 4:45 PM
17	Ugly!! Would not fit in Brisbane. Slightly less ugly than the others. Our Main Street sports a lot of art Nuevo.	7/22/2021 6:27 AM
18	Out of scale	7/19/2021 11:06 AM
19	Parking?	7/17/2021 4:22 PM
20	This is looking a bit too Urban for our town IMHO	7/17/2021 10:54 AM
21	Hideous. Unusable balconies. Looks like the outside of a maximum security prison.	7/15/2021 9:42 PM
22	This is a little better for a large building	7/13/2021 9:13 PM
23	Not enough private outdoor space	7/13/2021 6:14 PM
24	Just too impersonal.	7/13/2021 5:19 PM
25	Too large and too close to the street.	7/10/2021 5:43 AM
26	can't see parking & wasn't mentioned -- but that probably means I like it! Also like the canopies/trellises	7/8/2021 9:01 AM
27	Where is the parking?	7/7/2021 9:05 PM

28	*I do not want mixed-use structures taller than 3 stories. *Is it ADA compliant? It should be. *Is there sufficient street parking? There should be. *Are there solar panels on the rooftops? There should be.	7/7/2021 8:44 PM
29	Again not a darn thing is good about this design.	7/7/2021 8:01 PM
30	Again, ugly contemporary monstrosity	7/7/2021 10:40 AM
31	Too tall	7/3/2021 7:09 AM
32	Too large	7/2/2021 7:23 PM
33	This is the perfect example of cookie cutter stucco nightmares with the "bad hair day" metal grates on the top corner and a splatter of metal grates over upper windows. There's some articulation but mostly expanses of blank stucco that will look like hell in 10 years or less. Ground level retail is just large windows with no imagination. I think developers must be getting these designs out of catalogs where they can buy the plans real cheap!	7/2/2021 12:35 PM
34	Should avoid at all costs - too dense, too commercial. Does not fit Brisbane	7/1/2021 3:35 PM
35	Same as previous 2.	7/1/2021 3:13 PM

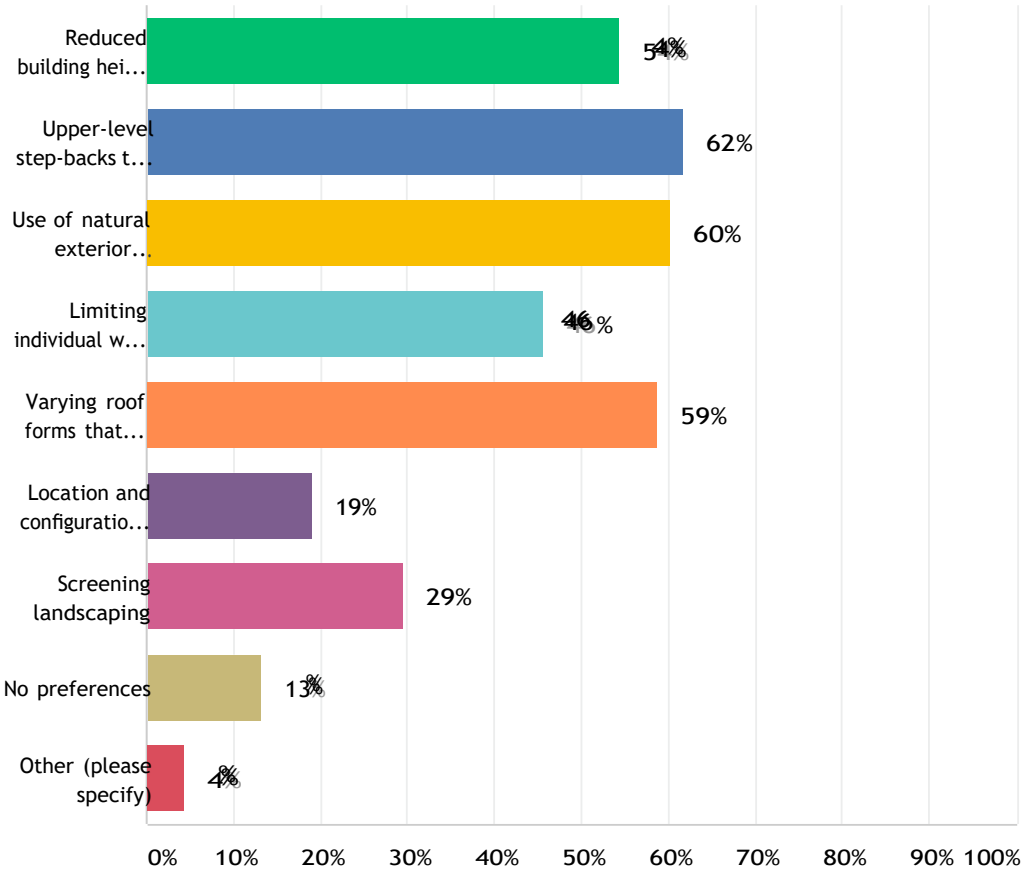
SINGLE-FAMILY HOMES ON RIDGELINES
(Questions 30-31)

San Bruno Mountain defines Central Brisbane's layout and the character of built structures along its lower flanks. Recognizing the importance of maintaining public views of the mountain, the Brisbane Acres- Residential (R-BA) zoning district requires Design Permit approval for new single-family homes that are located on mapped ridgelines coming down from the mountain. These ridgelinesare shown in a map in the City's zoning ordinance.

This image shows an approved design for a 3-unit dwelling on a hillside lot in Brisbane. The design features organic rooflines that mimic the topography of the lot, upper-level step-backs, natural exterior materials and colors, and limited building segment heights to no more than two-stories.

Q30 What design elements do you find appealing? Check all that apply.

Answered: 68 Skipped: 37



#	OTHER (PLEASE SPECIFY)	DATE
1	Very interesting and beautiful. I like the natural colors, very adobe-esque.	9/1/2021 12:03 PM
2	I don't see parking in the rendering, unless it is the front off-street apron. If so, that is far from adequate for a tri-plex.	7/22/2021 5:02 PM
3	*Roof sculpting looks nice, though it may lead to pooling of water.	7/7/2021 8:48 PM

Q31 Please tell us what else you do or do not like about this development.

Answered: 25 Skipped: 80

#	RESPONSES	DATE
1	Beautiful design that mimics topography of mountain. Would like more landscaping.	8/30/2021 11:25 PM
2	It is creative and flowing. I would hate to have to use those stairs.	8/28/2021 2:49 PM
3	With 3 units, each unit will only have 1 car? Don't think so. Therefore they will park in front of somebody else's house and piss em off	8/17/2021 9:49 AM
4	Good design. Well thought out. Low visual impact. Attention to the surrounding topography.	8/16/2021 9:51 AM
5	I don't see the difference in any of these. Please build affordable housing for all so we can alleviate the housing crisis!!!	8/13/2021 7:06 PM
6	takes away from street parking since now there is a driveway	7/28/2021 12:37 PM
7	don't like the curved rooftop that follows topography	7/27/2021 7:14 PM
8	This is cool. I can't tell if the two telephone poles are symbolic of trees or actual telephone poles... I don't see much room left over for any landscaping, and tree coverage would help cool the home and neighborhood.	7/26/2021 9:01 AM
9	Following ridge line topography is mandatory for the roof building height. Using natural colors and building materials is very important.	7/25/2021 9:46 AM
10	As someone with a stroller, these stairs would be impossible and dangerous for kiddos. But love the organic flowy design, esp if could be more accessible.	7/22/2021 7:55 PM
11	Again, neat modern looking place, but feel some important aspects may have been ignored/bypassed.	7/22/2021 5:02 PM
12	Not sure where parking for 3 units is on that image? Also, what "screening landscaping"?	7/22/2021 4:47 PM
13	This is a nice building but it takes up the whole lot. There is no landscaping or greenscape to absorb rainwater, everything is paved.	7/15/2021 9:44 PM
14	I don’t like the roof line. With all the problems on the ridge with break ins I think it’s important to have new construction homes with large windows in the front of the house as to see the street and hopefully avoid areas where homes don’t have street visibility	7/13/2021 9:18 PM
15	Too big and sprawling. Not enough space left for landscaping	7/10/2021 5:45 AM
16	I don't want any more mountain development	7/8/2021 4:55 PM
17	very attractive design!	7/8/2021 9:03 AM
18	*There should be a garage, and it's not clear this structure has one. *There is a hazard to removing enormous amounts of soil from the mountain to build - less soil means that less water can be absorbed into the ground during heavy rainfall, increasing the likelihood of flooding.	7/7/2021 8:48 PM
19	It’s ok but not my to my taste.	7/7/2021 8:03 PM
20	Doesn’t look like it has a garage, parking is difficult!	7/7/2021 10:42 AM
21	Not enough setback	7/3/2021 7:10 AM
22	Looks exciting and innovative.	7/2/2021 10:30 PM
23	The ground level garages (assuming that's what the blank wall is) are a bit ugly, but the lightness of the upper levels punctuated by a proliferation of windows of different sizes and shapes breaks up the mass of the structure. The sloping roofline is a one-off and certainly would be a landmark, but I would not want to see a proliferation of this.	7/2/2021 12:39 PM
24	Now you're talking - this is great design, more fitting for Brisbane	7/1/2021 3:36 PM
25	1, Where's the parking? It looks to be on street-no, no, no, no, no. 2. Please do not start stuffing multifamily units into single family communities.	7/1/2021 3:20 PM

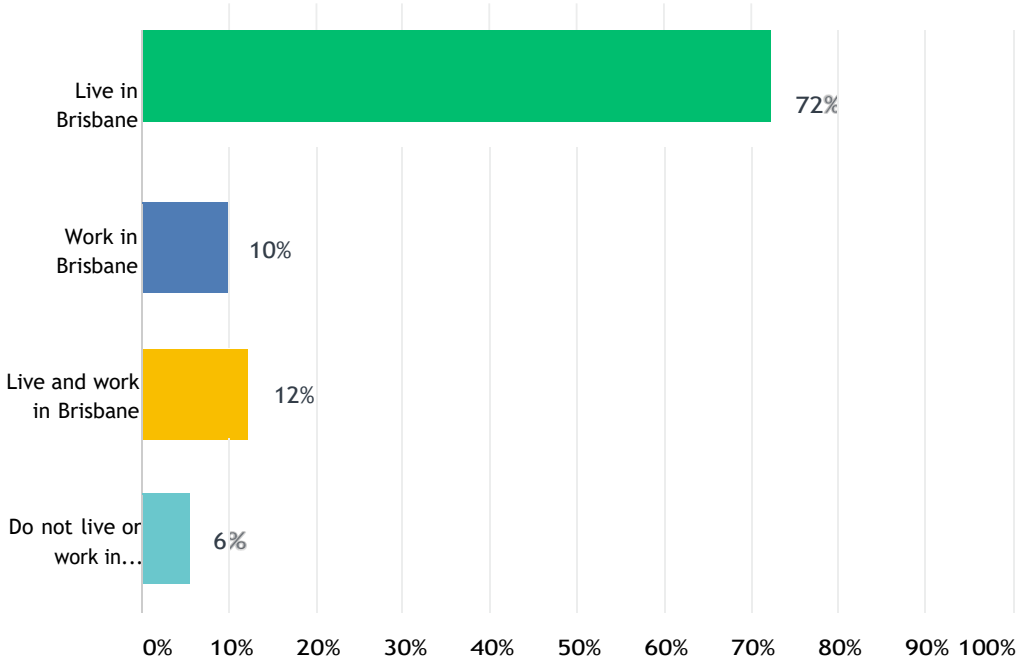
Q32 Please submit your email below to be added to our project update mailing list!

Answered: 26 Skipped: 79\

[NOTE: The 28 email addresses provided on this form were added to the City's project mailing list. The individual email addresses have been removed from published survey results]

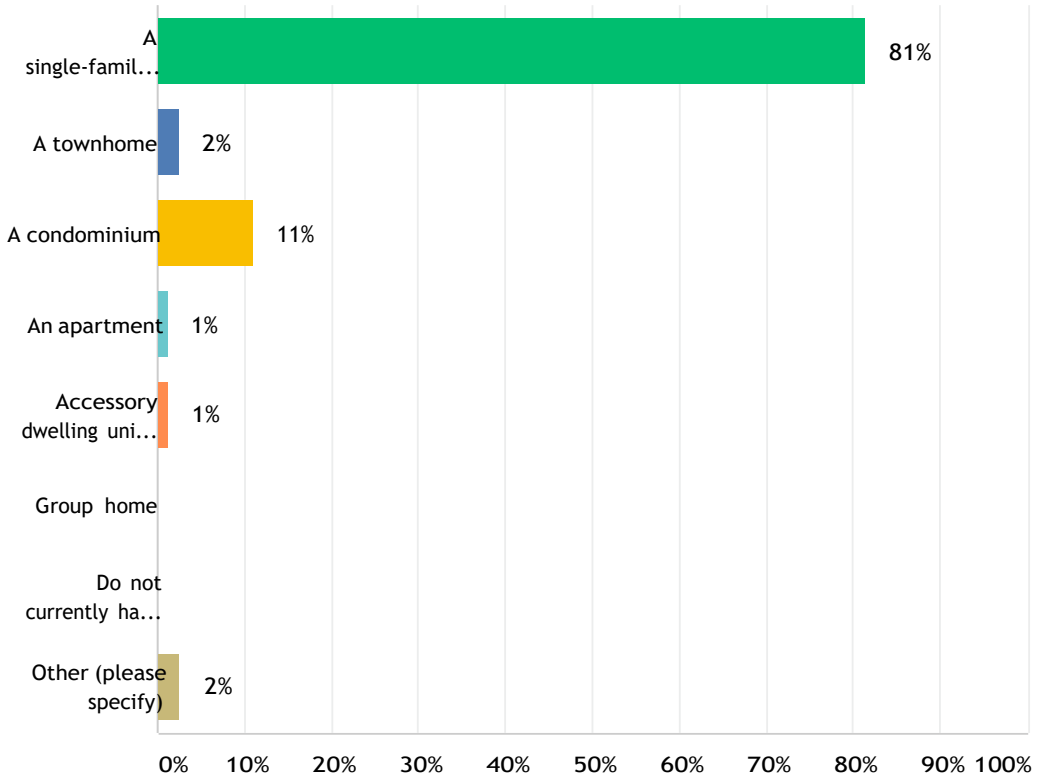
Q1 Currently, do you

Answered: 105 Skipped: 0



Q2 What type of home do you live in?

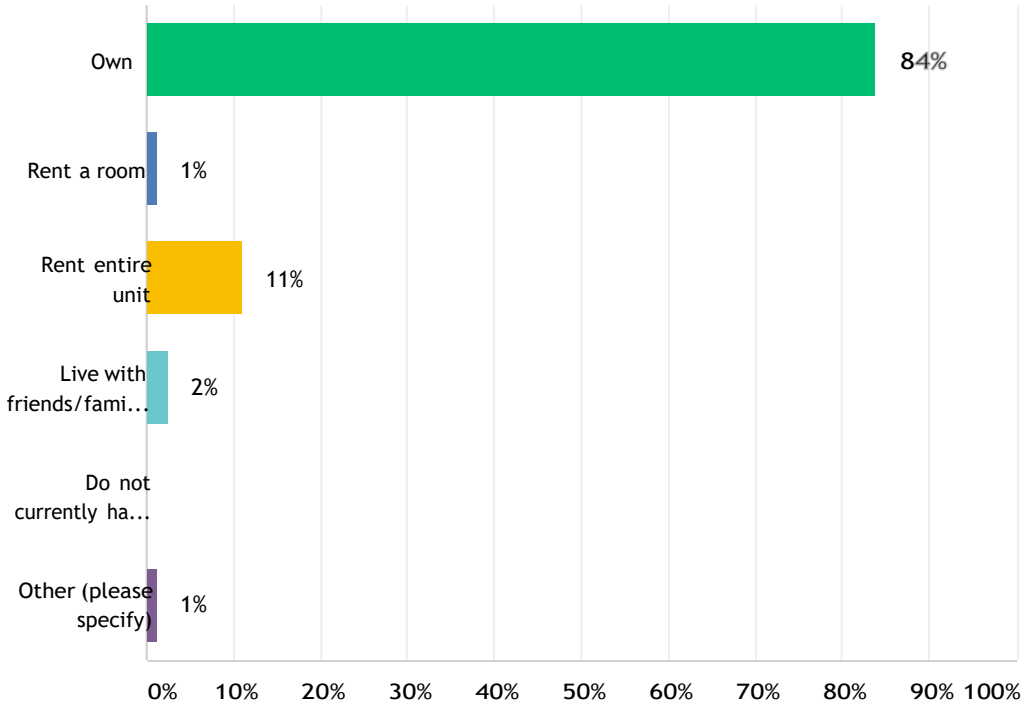
Answered: 81 Skipped: 24



#	OTHER (PLEASE SPECIFY)	DATE
1	duplex	7/23/2021 9:40 PM
2	Set of flats.	7/7/2021 7:30 PM

Q3 In your current home, do you

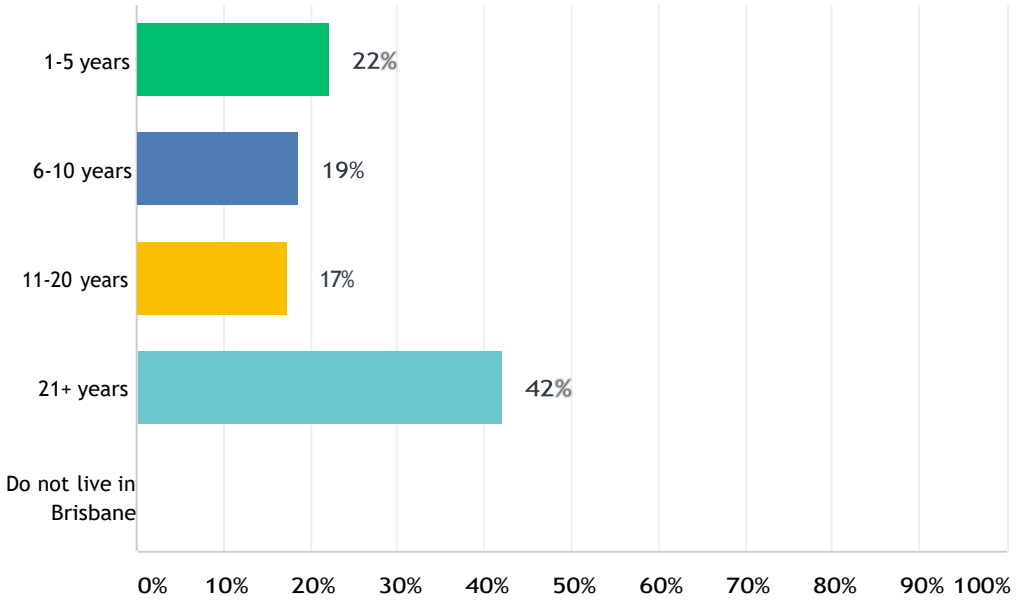
Answered: 81 Skipped: 24



#	OTHER (PLEASE SPECIFY)	DATE
1	own and rent a space in the mobile home park	7/15/2021 9:00 PM

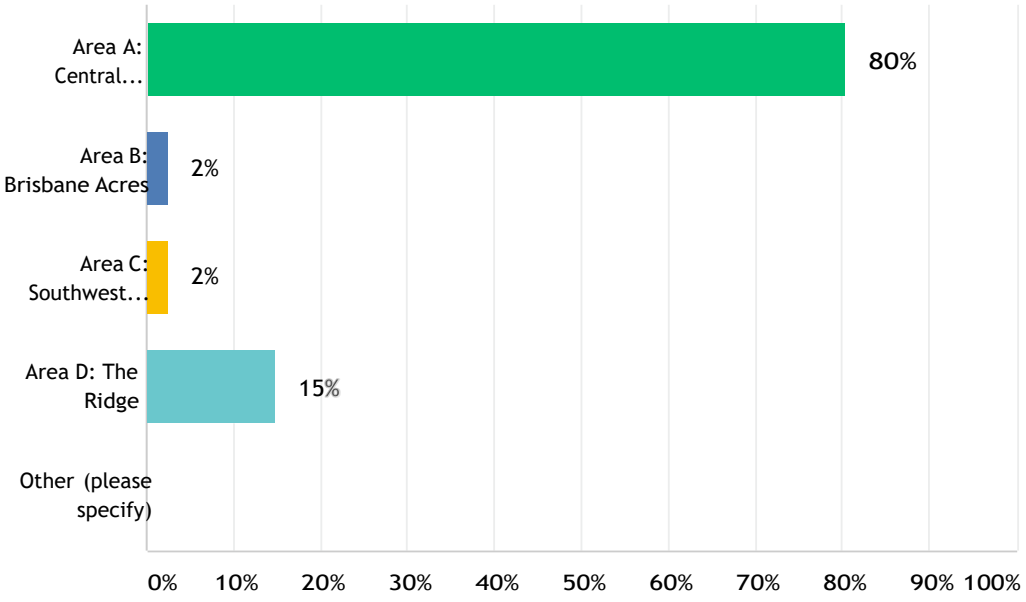
Q4 How long have you lived in Brisbane?

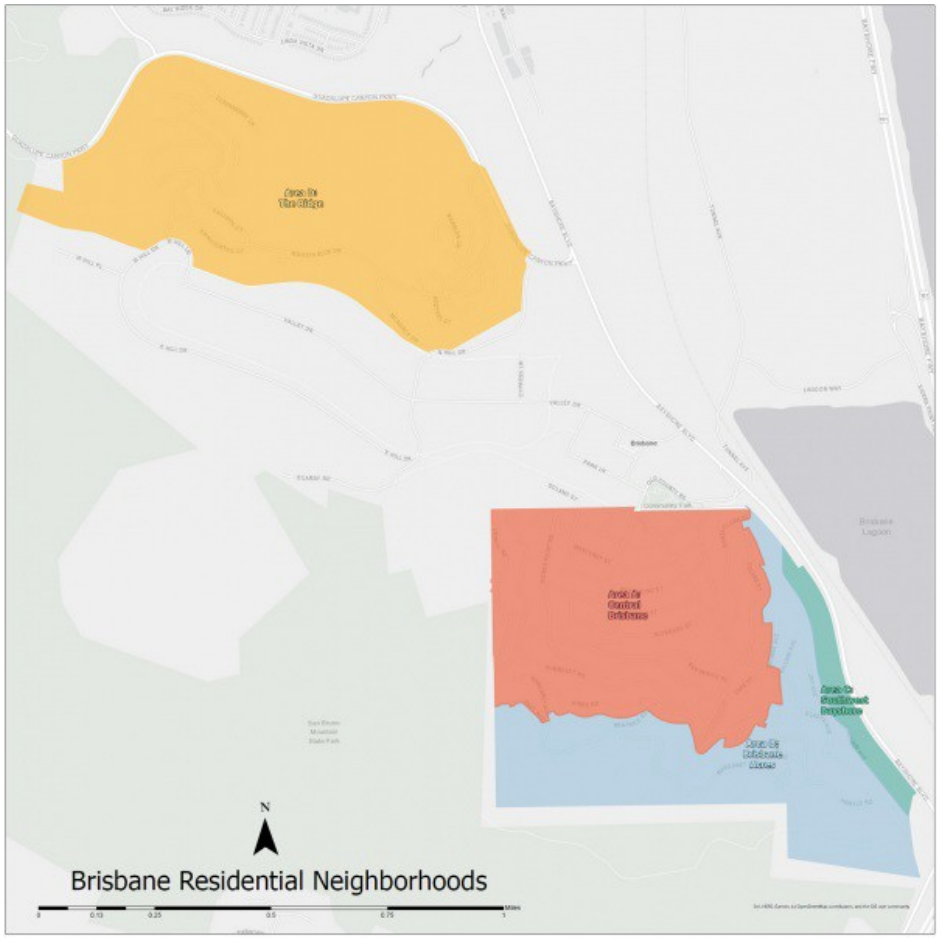
Answered: 81 Skipped: 24



Q5 Referring to the map shown above, what area of the City do you live in?

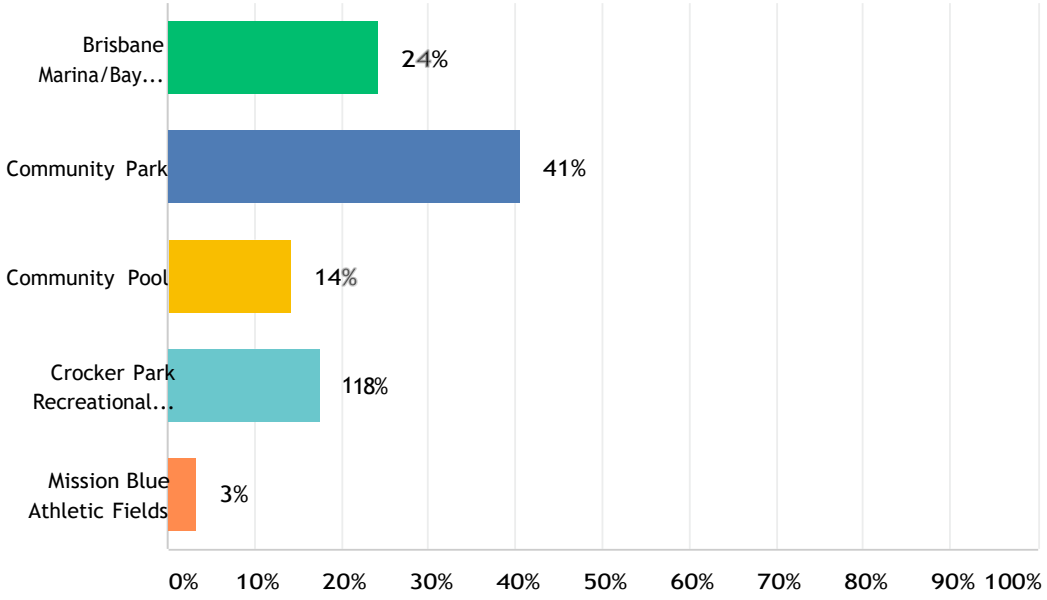
Answered: 81 Skipped: 24





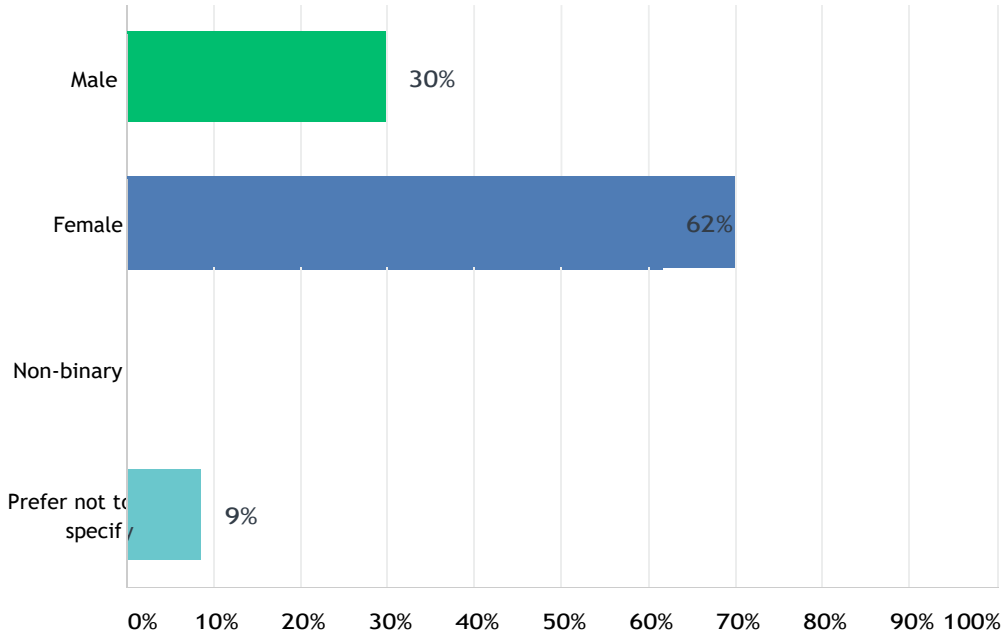
Q6 What is your favorite community amenity in the City?

Answered: 91 Skipped: 14



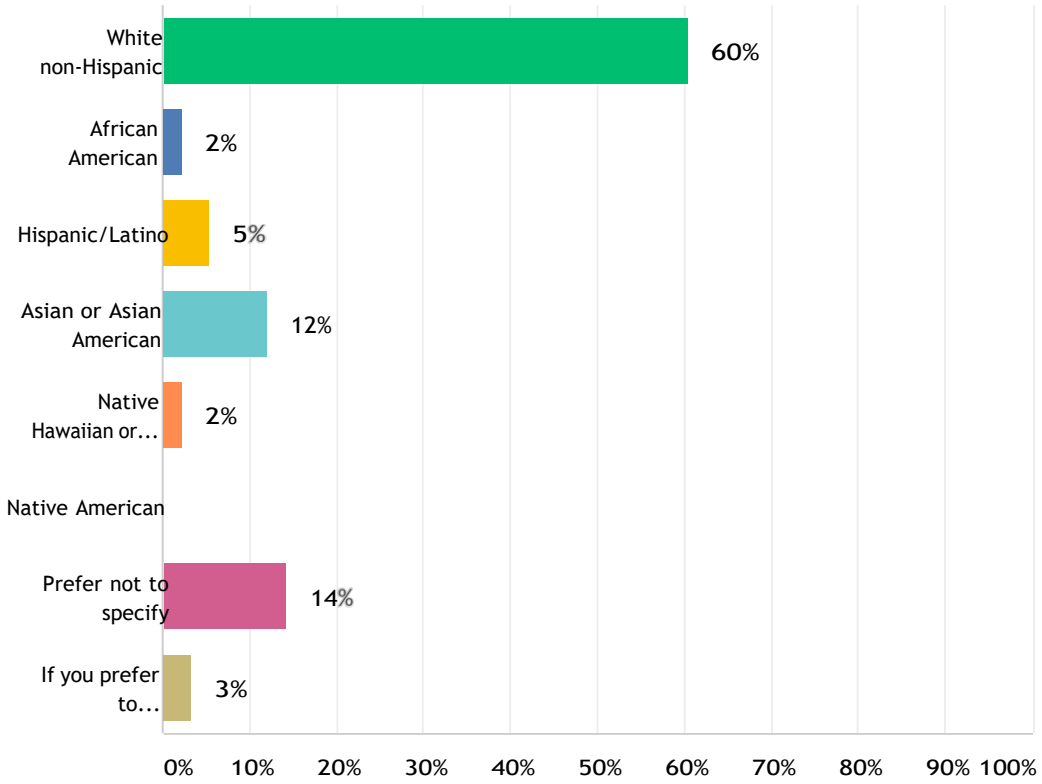
Q7 If you feel comfortable, please indicate your gender.

Answered: 94 Skipped: 11



Q8 If you feel comfortable, please share how you identify yourself.

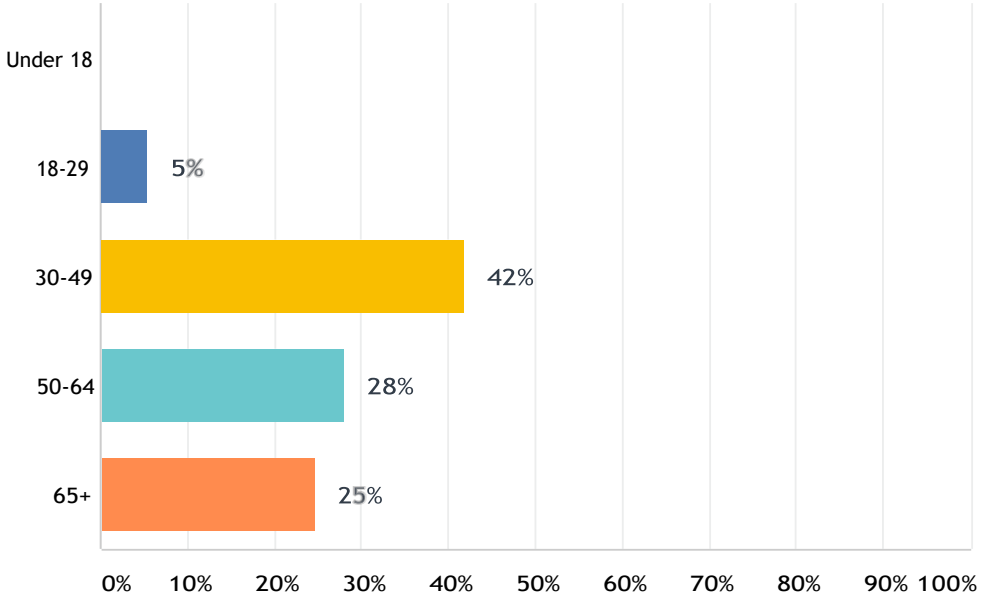
Answered: 91 Skipped: 14



#	IF YOU PREFER TO SELF-IDENTIFY, DO SO HERE:	DATE
1	Earthling	8/16/2021 8:36 AM
2	Asian/White	7/9/2021 7:06 PM
3	American	7/7/2021 7:30 PM

Q9 What is your age group?

Answered: 93 Skipped: 12



Objective Standards Pop-up Open Houses: Results

October 11, 2021

The results of two pop-up open houses conducted by the City of Brisbane, and its consultants Good City Company during August of 2021 are presented here. A staffed pop-up open house was held at the August 12, 2021 Farmers Market. Approximately 35 community members indicated their preferences to a board activity, and staff and consultants spoke with additional community members. A second pop-up open house was unstaffed and included a self-directed board-based activity on boards left in up in the Brisbane Library between August 16th-31st. Approximately five community members indicated their preferences to the self-directed board-based activity. An accompanying memo provides discussion of key results and additional context.

Farmers Market Pop-up Open House (August 12, 2021):

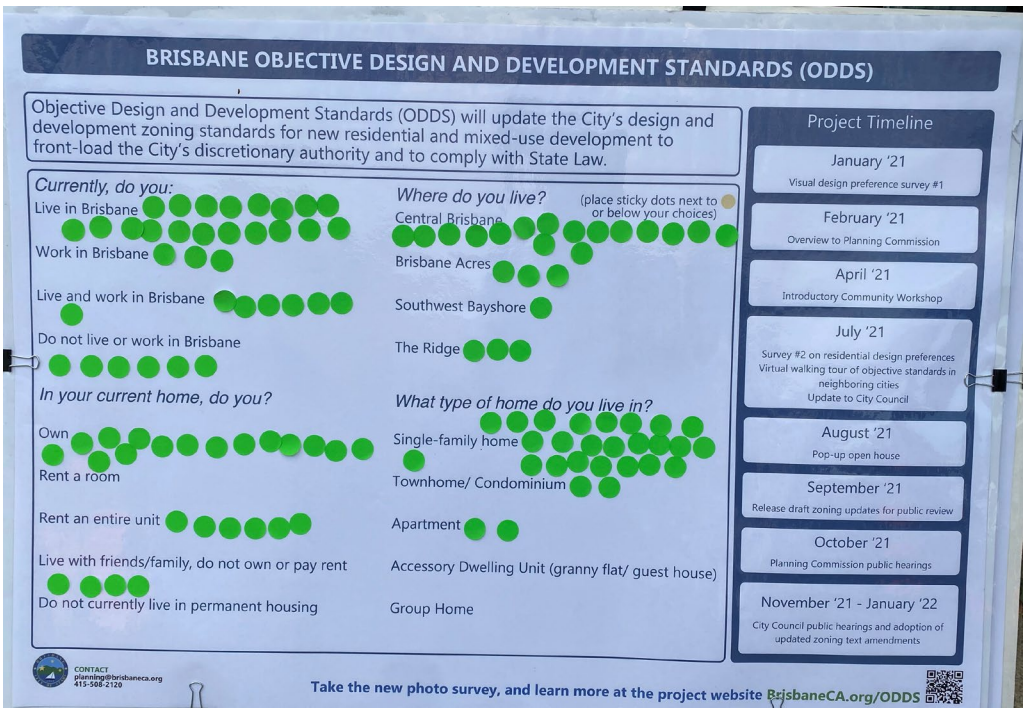


Figure 1: Farmers Market Pop-up Open House Results (Board 1)

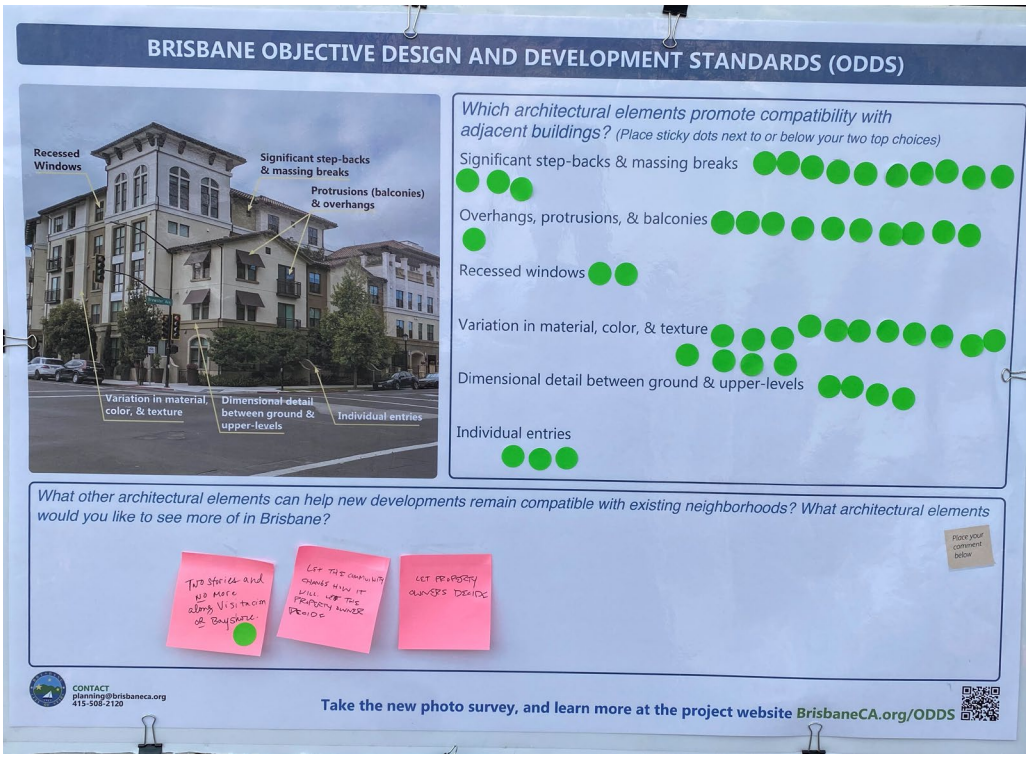


Figure 2: Farmers Market Pop-up Open House Results (Board 2)

Farmers Market Pop-up Open House (August 12, 2021):

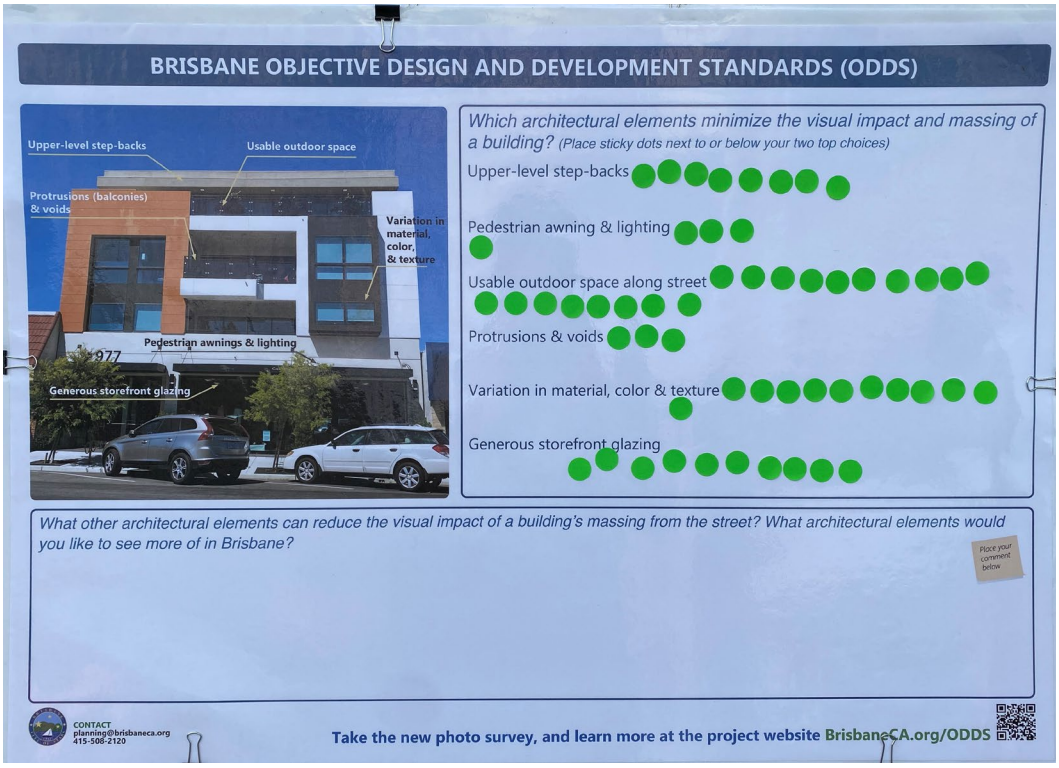


Figure 3: Farmers Market Pop-up Open House Results (Board 3)

Figure 4: Farmers Market Pop-up Open House Results (Board 4)

Library Pop-up Open House (August 16-31, 2021):

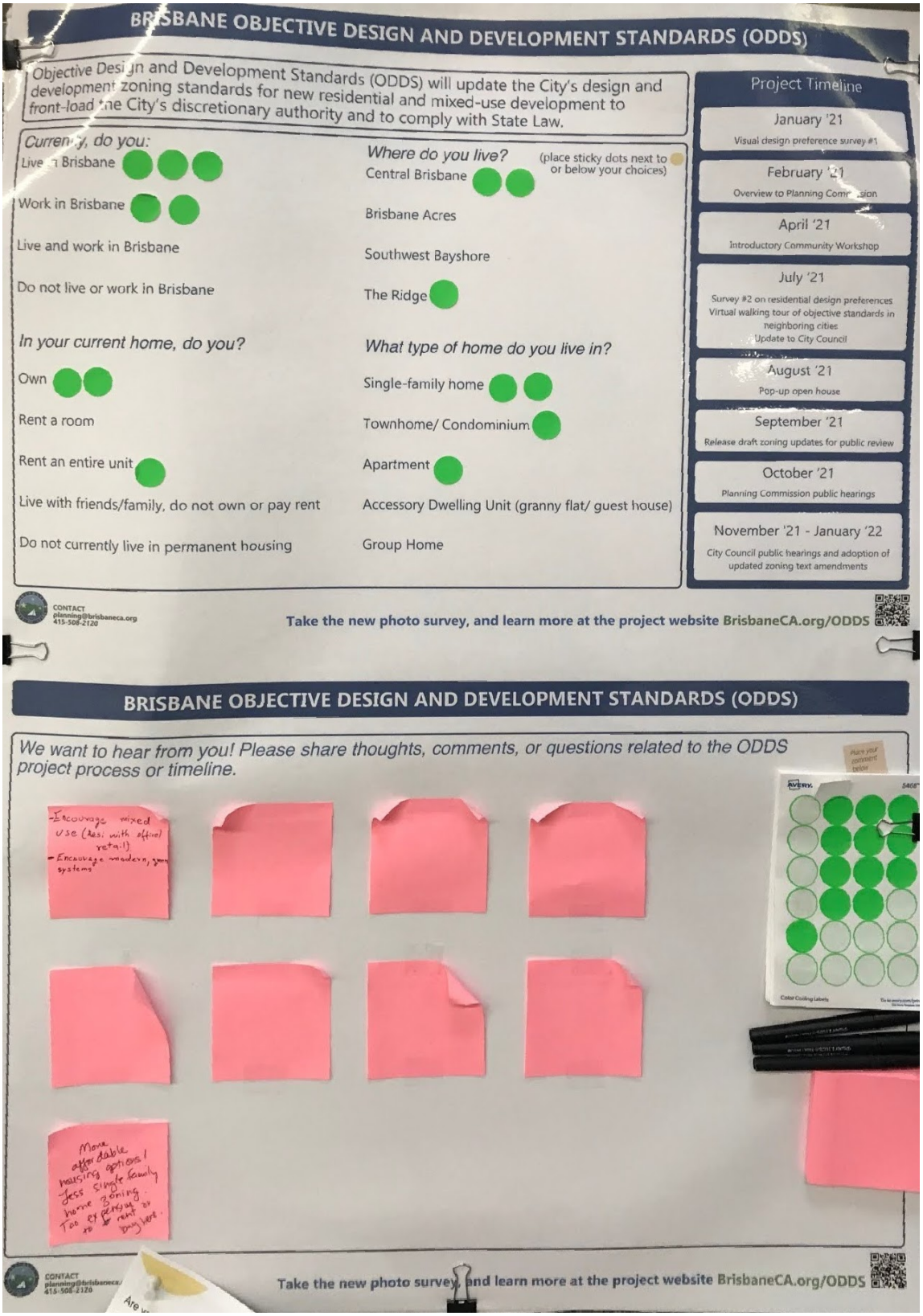


Figure 5: Farmers Market Pop-up Open House Results (Board 1)

Library Pop-up Open House (August 16-31, 2021):

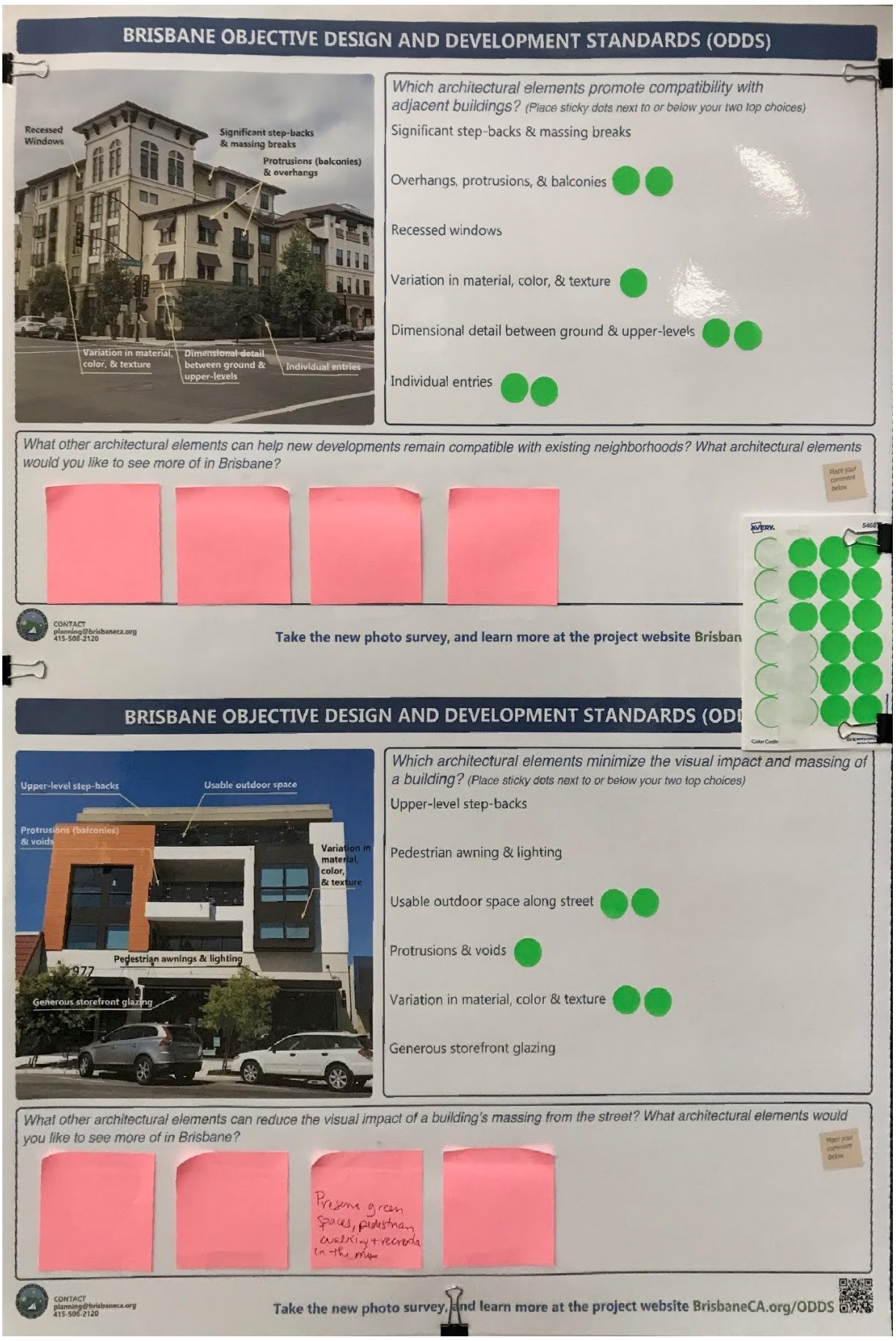


Figure 6: Farmers Market Pop-up Open House Results (Board 2)

CITY OF BRISBANE
Community Development Department
50 Park Place
Brisbane, California 94005-1310

Supplemental Housing Development Design Guidelines

These Supplemental Housing Development Design Guidelines shall be used in tandem with the Chapter 17.45 (Housing Development Permits) of the Brisbane Municipal Code as a supplement to the objective standards described in 17.45.030 of that chapter.

A. Materials

1. **Window materials.**
   a. The exterior use of stucco covered foam as trim is discouraged.
2. **Roof materials.**
   a. Roof materials shall be appropriate to the style of the building, roof form, and slope.
   b. Allowable roofing materials include terra cotta, tile, slate, metal, and composition shingles with an architectural grade shadow shake rather than a simple three-tab.
   c. Highly reflective surfaces that create glare, illuminated roofing, and corrugated metal (standing rib metal roofs are permitted) are discouraged unless the Director or designee determines the material is appropriate for the architectural style or theme of the building.
   d. Any sheet metal used in roof assembly that is publicly visible shall be constructed of copper, stainless steel, aluminum, or metal painted to match the exterior of the building.
   e. Downspouts, rain gutters, and leaderheads shall be concealed within wall or roof construction or, if exposed, shall be constructed of copper, stainless steel, aluminum, or metal painted to match the exterior of the building. Plastic materials and unpainted galvanized metal are strongly discouraged.
3. **Building Materials.**
   a. Permitted materials: Wood, stone, brick, cement fiber board, stucco, concrete.
   b. Discouraged materials: Aluminum siding, vinyl siding, scored plywood, and materials that are visibly simulated (e.g. Formliner or painted concrete applications that simulate the appearance of brick or wood).
   c. Mold resistant finishes and stucco with integral pigmentation should be used as appropriate

B. **Lighting.** Lighting shall be provided in compliance with the following:

1. All exterior lighting should be dark sky compliant, and designed, located and lamped in order to prevent overlighting, energy waste, glare, and light trespass.
2. Bollard lighting may be used to light walkways and other landscape features, but shall cast its light downward.
3. Internally illuminated fascia, wall, roof, awning or other building parts are discouraged.
4. All nonessential exterior lighting associated with non-residential uses shall be turned off within ½ hour after the close of business or when the non-residential use is not in use.

BRISBANE PLANNING COMMISSION
Action Minutes of October 28, 2021
Virtual Regular Meeting

CALL TO ORDER

Chairperson Gooding called the meeting to order at approximately 7:35 p.m.

ROLL CALL

Present: Commissioners Funke, Gooding, Gomez, Patel, and Sayasane
Absent: None
Staff Present: Director Swiecki, Senior Planner Johnson, Contract Senior Planner Kelly Beggs, and Associate Planner Robbins

ADOPTION OF AGENDA

Commissioner Funke moved to adopt the agenda. Commissioner Sayasane seconded the motion and it was approved 5-0.

CONSENT CALENDAR

Commissioner Patel moved to adopt the consent calendar (agenda item A). Commissioner Gomez seconded the motion and it was approved 5-0.

ORAL COMMUNICATIONS

There were no oral communications.

WRITTEN COMMUNICATIONS

Chairperson Gooding acknowledge two letters were received pertaining to agenda item C.

NEW BUSINESS

B. **PUBLIC HEARING: 3435 Bayshore Blvd; Interim Use Permit 2021-UP-5; C-1 Commercial Mixed Use (Baylands)**; Proposed Interim Use Permit to establish a non-commercial tree nursery on approximately 3.5 acres of vacant land adjacent to the existing Mission Plant Nursery for a term not to exceed 5 years. Eric Aronsohn, applicant; Tuntex USA Inc. (Baylands Development Inc.), owner.

Senior Planner Johnson gave the staff presentation and answered questions from the Commission regarding the proposed nursery's water usage and its relationship to the adjacent and existing Mission Blue Nursery.

Chairperson Gooding opened the public hearing.

Eric Aronsohn, applicant, addresses the Commission and answered question about leveraging resources from Mission Blue Nursery, the types of trees expected to be grown at the nursery, and the timing of growing trees for the Baylands at the proposed location.

Barbara Ebel, Brisbane resident, spoke in favor of the project but raised concerns about the project's water usage.

Michele Salmon, Brisbane resident, spoke in favor of the project but raised concerns about nearby seasonal wetlands and invasive flora onsite.

Mary Rogers, Brisbane resident, raised concerns about lighting and potential benefits to Brisbane residents, if any.

Jason Nunan, spoke in favor or the project but raised concerns about non-native tree species being grown at the nursery.

With no others wishing to address the Commission, Commissioner Patel moved to close the public hearing. Commissioner Funke seconded the motion and it was approved 5-0.

After deliberation, Commissioner Funke moved to approve the application via adoption of 2021-UP-5 with an additional condition that prior to the applicant commencing operations, the limits of the seasonal wetlands shall be verified by a qualified biologist to ensure the interim use does not encroach upon the wetlands. Commissioner Gomez seconded the motion and it was approved 5-0.

C. **PUBLIC HEARING: 600 Tunnel Avenue; Interim Use Permit 2021-UP-3; C-1 Commercial Mixed Use (Baylands);** Proposed Interim Use Permit for the continued staging of up to 90 Google commuter buses on an approximately 3-acre site between Tunnel Avenue and the Caltrain rail line to serve Google employees on the peninsula for up to a 5-year term. Sam Khodja, applicant; Oyster Point Properties, Inc. (Baylands Development Inc.), owner.

Senior Planner Johnson informed the Commission that the applicant has requested to continue this item to the next scheduled meeting to discuss proposed conditions of approvals with staff.

Director Swiecki added that while the applicant's current interim use permit will expire before the next meeting, the use may continue until the Planning Commission acts on this item and they will be subject to the boundaries and conditions under the existing interim use permit.

Chairperson Gooding opened the public hearing.

Mary Rogers, Brisbane resident, spoke against the project.

Michele Salmon, Brisbane resident, spoke against the project.

Kim Follien, Brisbane resident, spoke in favor of the project provided the lot is paved and lighting is properly shielded.

Barbara Ebel, Brisbane resident, spoke in favor of the project provided the applicant follow through on mitigating dust and glare and provide the route and trip data per the new recommended conditions of approval.

Chairperson Gooding closed the public hearing and Commissioner Funke moved to continue the application to the next Planning Commission meeting of November 16, 2021. Commissioner Gomez seconded the motion and it was approved 5-0.

D. **PUBLIC HEARING: Zoning Text Amendment 2021-RZ-2**; Various zoning districts; Zoning text amendments to Title 17 of the Brisbane Municipal Code to City of Brisbane to establish objective design and development standards for housing development projects; establish residential density requirements for the NCRO-2 Zoning District; allow multiple family dwellings in the SCRO-1 District by right and multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; reduce guest parking requirements; and establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects. City of Brisbane, applicant; Citywide.

Director Swiecki introduced Contract Senior Planner Beggs.

Contract Senior Planner Beggs and project consultants Aaron Aknin and Nicholas Hamilton of Good City gave the staff presentation and answered questions about the criteria for certain development regulations, including step-backs, which zoning districts are impacted by the proposed amendments, the timing of approval required by the State, and if additional visualization and/or simulation materials of the proposed amendments could be provided.

The Commission asked staff and the consultants to further explain the proposed reduction in guest parking, including how the proposed standard was determined and whether the Housing and Community Development (HCD) would permit Brisbane to retain its current and more stringent standard.

Director Swiecki explained the State views parking as a constraint on housing availability and is regulating municipalities to reduce governmental constraints. Mr. Akin further indicated that HCD's review will include ensuring the feasibility of the proposed amendments are not financially burdensome, i.e., a limiting factor to the construction of housing, and leaving the guest parking standard unchanged may necessitate a subsequent change in the future.

Commissioners Funke and Gooding requested clarification on the approval process for new mixed-use and multifamily projects and the role of the Zoning Administrator. Director Swiecki informed the Commission that without any discretionary standards, the Zoning Administrator's role is to

confirm compliance with all applicable objective standards and listen to any comments raised by the community. He assured the Commission that new projects would still be noticed to adjacent parcels and comments or concerned raised by the public can be presented at a Zoning Administrator public hearing.

Chairperson Gooding opened the public hearing.

Barbara Ebel, Brisbane resident, spoke about making a compromise on the proposed guest parking reduction. She also requested staff highlight what proposed amendments are discretionary, what issues are not, and what changes are required by the State.

Michele Salmon, Brisbane resident, spoke against the project.

Commissioner Funke moved to continue the public hearing and application to the next Planning Commission meeting of November 16, 2021. Commissioner Gomez seconded the motion and it was approved 5-0.

ITEMS INITIATED BY STAFF

Associate Planner Robbins advertised an upcoming ADU webinar hosted by Second Unit Resources Center.

Senior Planner Johnson advertised 21 Element's third workshop on "Housing in a Climate of Change."

ITEMS INITIATED BY THE COMMISSION

There were none.

ADJOURNMENT

With the cancellation of the November 11, 2021 meeting, Chairperson Gooding declared the meeting adjourned to the next special meeting of November 16, 2021. The meeting adjourned at approximately 10:05 p.m.

Attest:

John Swiecki

John A. Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on the City's YouTube channel at www.youtube.com/BrisbaneCA, on the City's website at http://www.brisbaneca.org/meetings, or on DVD (by request only) at City Hall.

City of Brisbane
Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 11/16/2021

SUBJECT: **Zoning Text Amendment RZ-2-21;** Zoning text amendments to Title 17 of the Brisbane Municipal Code (BMC) to establish objective standards for housing development projects and permit multiple family dwellings in the NCRO-2 and SCRO-1 Zoning Districts by right; City of Brisbane, applicant; Citywide.

SUPPLEMENTAL REPORT

This item was continued from the October 28, 2021, Planning Commission Public Hearing. The Staff Report for the October 28th Hearing is included as Attachment A for context and further information. This supplemental staff report will summarize Planning Commission and public comments from the previous hearing and set forth staff responses.

October 28, 2021 Planning Commission Hearing

On October 28th the Planning Commission considered and continued the item after the staff presentation, questions from Commissioners, and public comment. Issues raised at the hearing are discussed below:

State Law Requirements and Draft Ordinance Scope

Members of the public and commission asked for clarification of the scope of the Draft Ordinance and what regulations are optional versus required by State Law.

State Law does not precisely dictate the objective standards cities will apply to Housing Development projects, but it does specify that only objective standards can be applied. Under the current Ordinance, the objective standards set forth for the NCRO-2 District include lot dimensions, lot coverage, height, setbacks, storefront requirements, and open space requirements. However, these limited objective standards may not promote high-quality design, as shown in Figure 1. As state law prevents the City from applying subjective design permit findings (for example, BMC 17.42.040 (A): “the proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project”), if such an application was submitted, the City would have limited leverage to deny the project without facing legal scrutiny.

Figure 1: NCRO-2 Building Design Under Current Objective Standards

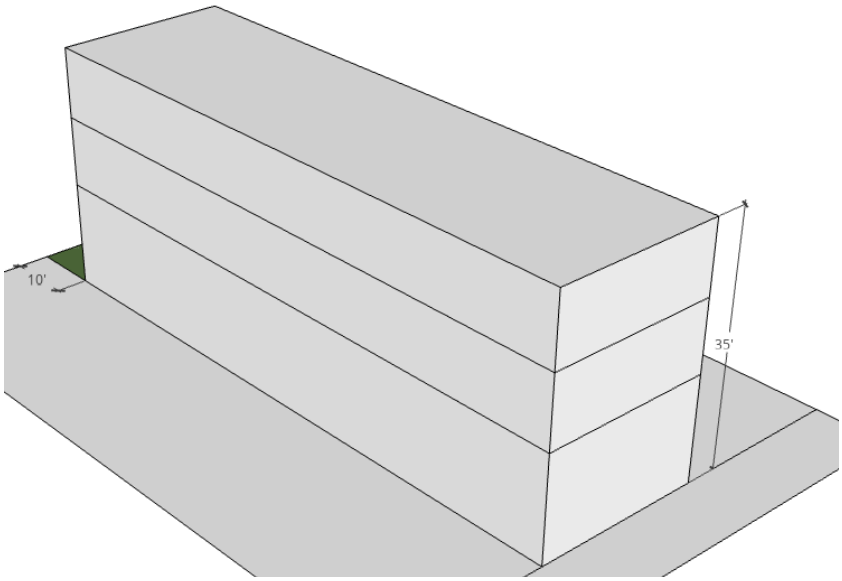
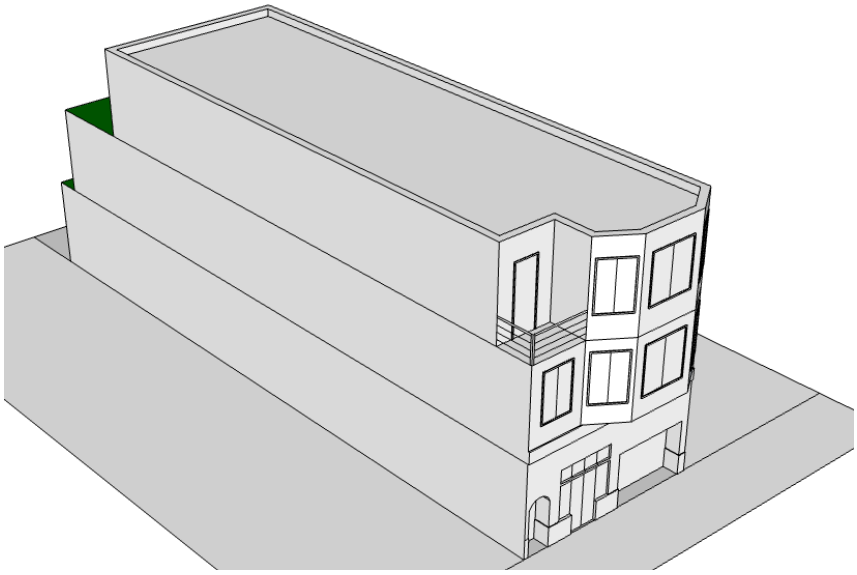


Figure 2: NCRO-2 Building Design Under Proposed Objective Standards



By adopting the Draft Ordinance and objective standards within, the City would have the ability to exercise greater control over the design of Housing Development Projects in addition to currently defined objective standards. As illustrated above in Figure 2, the Draft Ordinance would add objective standards and regulations to control site design, massing, materials, and articulation of a building.

New requirements include:

- Second and third-story rear stepbacks for projects adjacent to lower density residential zones to promote a context-sensitive transition from lower to higher density sites
- Third story front stepbacks to provide visual relief and articulation from a pedestrian perspective
- Articulation requirements to add visual interest and massing breaks to project design

- Ground floor height and transparency requirements for mixed-use projects to promote an active pedestrian streetscape
- Parking design requirements to minimize the appearance and improve the aesthetics of parking garages and areas

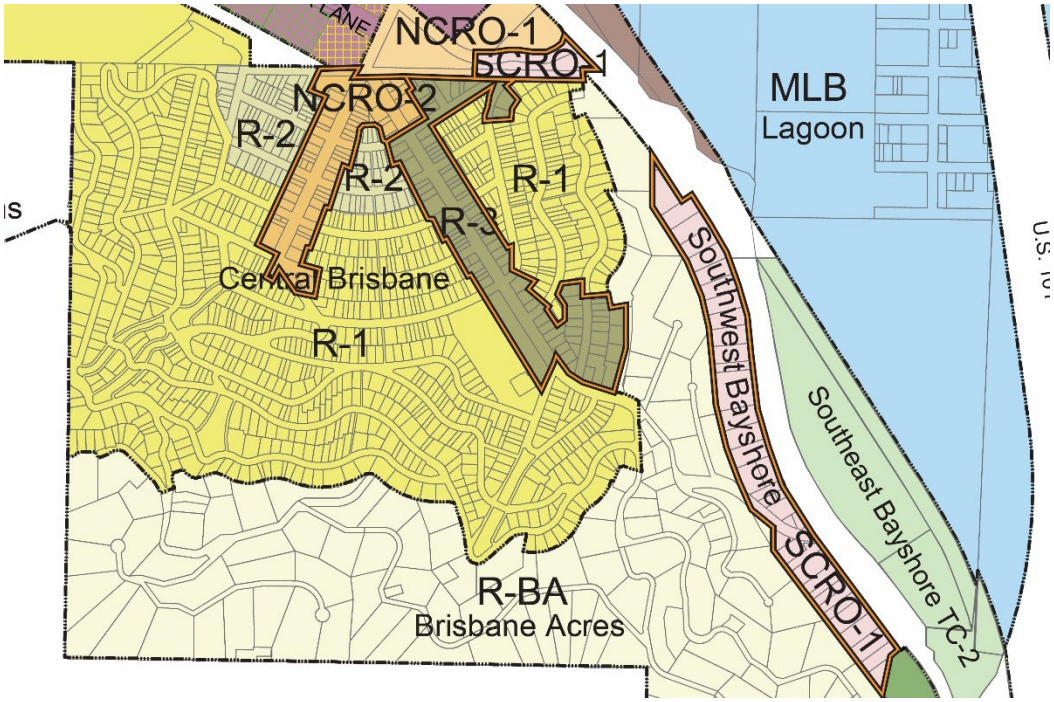
To clarify scope, the Draft Ordinance ***would not***:

- Increase height limits
- Increase intensity regulations (such as residential density or Floor Area Ratio) above current approvals and regulations
- Decrease setbacks or stepbacks that control massing, or
- Allow new uses that were not previously conditionally permitted

Housing Development Project Sites

The Planning Commission requested further context on where projects subject to ODDS could be built in the city. The new Housing Development Permit would replace the Design Permit for Housing Development projects, replacing the subjective findings of the design permit with objective standards. The new permit and standards would apply to applicable projects in zoning districts that permit Housing Development Projects, which includes projects with two or more units and mixed-use projects where at least two thirds of floor area is dedicated to residential uses as defined by State Law. Zoning Districts within the City that permit multiple family dwelling units and mixed uses include the SCRO-1 District, the NCRO-2 District, and the R-3 District (outlined in orange in **Figure 3**). Housing Development Permits would be required for applicable multiple-family and mixed-use projects in these Districts. The current Municipal Code does not require Design Permits for duplexes, and with the exception of duplexes within the R-3 District, duplexes would also be exempt from the Housing Development Permit.

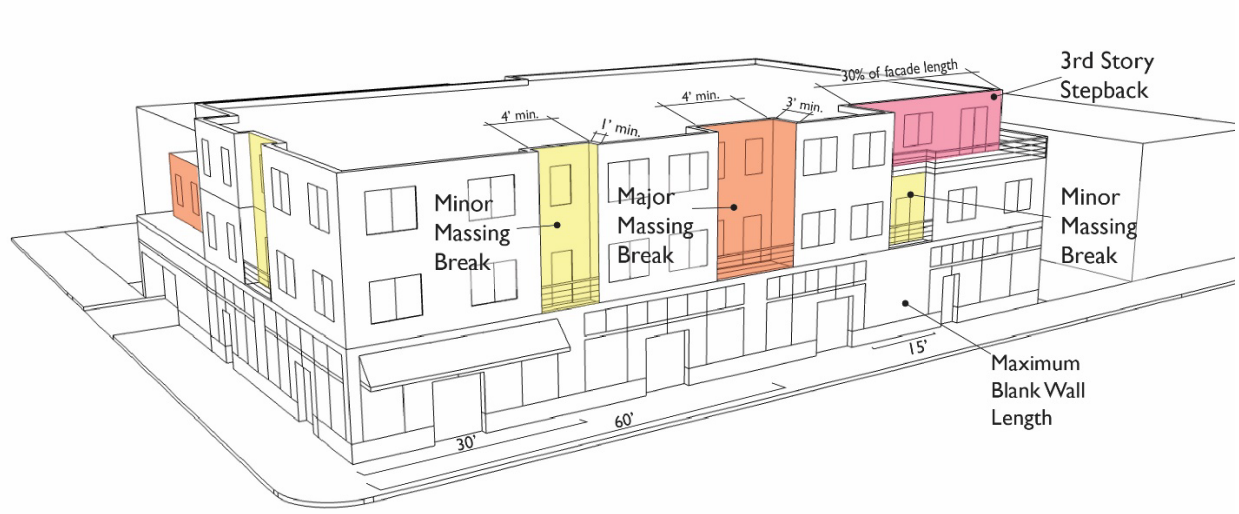
Figure 3: Applicable Zoning Districts



Illustrations prepared for the Draft Ordinance were based on actual lots within the City of Brisbane to show how new standards would apply to potential projects. For example, Figure 2 above is based

on a typical narrow lot (25 in width by 100 feet in depth) along Visitacion Avenue, such as 213 Visitacion Avenue or 18 Visitacion Avenue. Graphics for larger frontages, such as Figure 4 below, would require assembly of approximately 4 narrower lots along Visitacion Avenue.

Figure 4: Illustrative Graphic of Larger Site



Parking

The Planning Commission did not support a reduction in guest parking requirements from 1 space per 5 units to 1 space per 10 units. There was a public comment that the Commission should consider some "middle-ground" reduction in required guest parking. It is up to the discretion of the Commission to make a final recommendation to the City Council on this matter.

Another parking issue for the Commission's consideration is parking versus storefront area on narrow lots in the NCRO-2 district. As noted in the October 28 staff report, it is infeasible to comply with both parking requirements and minimum required storefront on narrow lots in the NCRO-2 District. Proposed options were to either eliminate the parking requirement or reduce the minimum storefront size. Given the general discussion on limited parking within Brisbane, it appears the Commission's direction was to recommend reducing the minimum floor area for storefront use for narrow lots in order to provide as much off-street parking as possible. The draft language below is suggested to meet the Commission's direction: "The minimum floor area for a storefront use for lots of 30 feet in width or less is two hundred and fifty (250) square feet."

ATTACHMENTS:

A. ~~October 28, 2021 Staff Report~~
B. ~~Draft Resolution RZ-1-21 (including draft ordinance)~~
C. ~~Redline copy of proposed zoning text amendments~~
D. ~~SB 35 and the Housing Accountability Act, relating to objective standards (hyperlinks)~~
E. ~~Community Outreach Summary~~
F. ~~Draft Supplementary Housing Development Design Guidelines~~

Attachments not included

Kelly Beggs, Contract Planner

John Swiecki, Community Development Director

BRISBANE PLANNING COMMISSION
Action Minutes of November 16, 2021
Virtual Special Meeting

CALL TO ORDER

Chairperson Gooding called the meeting to order at approximately 7:30 p.m.

ROLL CALL

Present: Commissioners Funke, Gooding, Gomez, Patel, and Sayasane
Absent: None
Staff Present: Director Swiecki, Senior Planner Johnson, Contract Senior Planner Kelly Beggs, and Associate Planner Robbins

ADOPTION OF AGENDA

Commissioner Funke moved to adopt the agenda. Commissioner Gomez seconded the motion and it was approved 5-0.

CONSENT CALENDAR

Commissioner Patel moved to adopt the consent calendar (agenda item A). Commissioner Gomez seconded the motion and it was approved 5-0.

ORAL COMMUNICATIONS

There were no oral communications.

WRITTEN COMMUNICATIONS

Chairperson Gooding acknowledge three letters were received pertaining to agenda item C.

OLD BUSINESS

B. **PUBLIC HEARING: 600 Tunnel Avenue, Interim Use Permit 2021-UP-3, C-1 Commercial Mixed Use (Baylands);** Proposed Interim Use Permit for the continued staging of up to 90 Google commuter buses on an approximately 3-acre site between Tunnel Avenue and the Caltrain rail line to serve Google employees on the peninsula for up to a 5-year term. Sam Khodja, applicant; Oyster Point Properties, Inc. (Baylands Development Inc.), owner.

Note: This item was continued from the October 28,2021 Planning Commission meeting.

Senior Planner Johnson gave the presentation and answered questions from the Commission about the original complaints pertaining to fugitive dust and light glare, the timing of modifications made

C. **PUBLIC HEARING: Zoning Text Amendment 2021-RZ-2**; Various zoning districts; Zoning text amendments to Title 17 of the Brisbane Municipal Code to City of Brisbane to establish objective design and development standards for housing development projects; establish residential density requirements for the NCRO-2 Zoning District; allow multiple family dwellings in the SCRO-1 District by right and multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; reduce guest parking requirements; and establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects. City of Brisbane, applicant; Citywide.

Note: This item was continued from the October 28,2021 Planning Commission meeting.

Contract Senior Planner Beggs and project consultants Aaron Aknin and Nicholas Hamilton of Good City gave the staff presentation and clarified the two decision points the Commission must review pertaining to guest parking requirements and storefront floor area, including the distinction between exempting off-street parking when 600 SF of storefront is provided and reducing storefront area to 250 SF (to accommodate the required off-street parking) on narrow lots.

Chairperson Gooding opened the public hearing.

Michele Salmon, Brisbane resident, spoke about the parking issues in Downtown Brisbane and recommended not altering the guest parking requirement and allow smaller storefront floor areas in order to preserve off-street parking requirements. She also had a question about the proposed residential density in the NCRO-2 Downtown Brisbane Neighborhood Commercial District.

Staff clarified that the NCRO-2 District does not currently have a residential density standard; residential uses are a conditionally permitted use and density is set by conditional use permit. The proposed density of 600 SF of lot area per unit - approximately 72 DU/AC - is comparable to past conditional use permit approvals in the NCRO-2 District that ranged between 64 and 87 DU/AC.

With no others wishing to address the Commission, Commissioner Funke moved to close the public hearing. Commissioner Patel seconded the motion and it was approved 5-0.

Director Swiecki informed the Commission that while staff has specifically presented two separate decisions regarding parking and storefront area regulations, the Commission may deliberate and offer recommendations to alter any of the proposed standards and amendments.

After deliberation, Commissioner Funke moved to approve the application via adoption of 2021-UP-3, with the following recommendations on parking:

- No change to the current guest parking regulations (1 space per 5 units); and
- Allow storefront areas of 250 SF on lots less than 30 feet wide, maintaining off-street parking requirements.

Following deliberation, Commissioner Funke moved to recommend City Council adoption of the draft ordinance by adopting Resolution 2021-RZ-2. Commissioner Sayasane seconded the motion and it was approved 5-0. Chairperson Gooding read the appeals procedure.

ITEMS INITIATED BY STAFF

Director Swiecki informed the Commission that the Mayor's State of the City address will be tomorrow, and staff will schedule and provide informational sessions to the Commission early next year regarding a series of State Bills related to housing, such as SB 9, that recently passed.

ITEMS INITIATED BY THE COMMISSION

There were none.

ADJOURNMENT

With the cancellation of the November 25, 2021 and December 9, 2021 meetings, Chairperson Gooding declared the meeting adjourned to the next special meeting of December 16, 2021. The meeting adjourned at approximately 9:35 p.m.

Attest:

John A. Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on the City's YouTube channel at www.youtube.com/BrisbaneCA, on the City's website at http://www.brisbaneca.org/meetings, or on DVD (by request only) at City Hall.

RESOLUTION RZ-2-21

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT RZ-2-21 AMENDING REGULATIONS WITHIN TITLE 17 OF THE BRISBANE MUNICIPAL CODE CONCERNING HOUSING DEVELOPMENT PROJECTS AND STREAMLINED HOUSING DEVELOPMENT PROJECTS

WHEREAS, the State Legislature finds that the lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California; and

WHEREAS, effective January 1, 2018, Senate Bill 167 (Skinner), amended Section 65589.5 of the Government Code and changed the requirements for local governments relating to objective standards and Housing Development Projects; and

WHEREAS, effective January 1, 2018, Senate Bill 35 (Weiner), amended Sections 65400 and 65582.1 and added and repealed Section 65913.4 of the Government Code, and changed the requirements for local governments relating to objective standards and Streamlined Housing Development Projects; and

WHEREAS, the City's current zoning ordinance regarding housing development projects must be updated to comply with current State law; and

WHEREAS, the draft ordinance attached as Exhibit A to this resolution proposes amendments to Title 17 (Zoning) of the Brisbane Municipal Code in order to comply with current State law regarding Housing Development Projects; and

WHEREAS, on October 28, 2021, the Planning Commission conducted a hearing of the application, publicly noticed in compliance with Brisbane Municipal Code Chapters 1.12 and 17.54, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, and the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the draft ordinance does not require additional environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15168 and 15183, as the project is consistent with and in the scope of the General Plan EIR and does not trigger the preparation of a subsequent EIR pursuant to CEQA Guidelines Section 15162.

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

AYES: Chairperson Gooding and Commissioners Funke, Gomez, Patel, and Sayasane
NOES: None
ABSENT: None

DOUGLAS GOODING
Chairperson

ATTEST:

John Swiecki

JOHN SWIECKI, Community Development Director

From: Swiecki, John
To: Beggs.Kelly
Cc: Robbins, Jeremiah
Subject: FW: For Tuesday"s PC Meeting
Date: Monday, November 15, 2021 2:59:48 PM
Attachments: Cookie-CuttoerRule10.16.21.pdf
CurrentEnvironmentalIssues.pdf
image001.png

From: Earthhelp <earthhelp@earthlink.net>
Sent: Monday, November 15, 2021 2:58 PM
To: Swiecki, John <johnswiecki@ci.brisbane.ca.us>; Padilla, Ingrid <ipadilla@ci.brisbane.ca.us>; Sayasane, Pamala <psayasane@ci.brisbane.ca.us>
Subject: For Tuesday's PC Meeting

Please provide these comments to the planning commissioners.

I remain disabled and wonder about parking for disabled persons. Reducing parking requirements impedes more than storefront usage and impacts other laws. I think a city-wide parking solution needs to be created rather than reducing the parking requirements. There are some places in San Francisco I will not shop because parking is an issue. Their loss.

Additional comments here:
Cookie-cutter Rule:

To: Planning Commissioners, Staff, and the Public
From: Dana Dillworth
RE: ODD Regulations RZ-2-21
November 16, 2021

Thank you Commissioners for your concern about the scope of this re-zoning document and continuance to this meeting.

Thank you Barbara and Michele for being the stalwart, heart-centered volunteers of this community who spoke about the need to recognize that Brisbane is a special place and that a checklist with a building czar is an inadequate regulation.

Thank you for the opportunity to "speak" at these meetings and I understand your concern of becoming "just a citizen" on discretionary matters that may be being overlooked.

One item missing from this discussion is SB10, it was signed by Governor Newsom September 16th, goes into effect January 1st, 2022. You may want to rephrase or reassess your earlier comments that this zoning ordinance will have no impact in R-1 zoning.

SB10 allows councils to override voter-approved ballot measures and bypass environmental review by meeting certain low- and moderate-income housing unit numbers. I ask that you have a meeting dedicated to understanding how this type of "objective" design review may be required of all buildable lots in Brisbane in the future, or <u>make a stand on the law</u> as Michele, Barbara, and I come to ask of you.

This document needs to be in compliance with our general plan. As such, this document cannot be approved when it only speaks to the facade and not the functionality, the solar orientation, or meeting

other state and community goals such as net zero energy, water production and retention, sufficient recreational open space and self-sufficiency…which are the cornerstones of our General Plan. This document needs to be in compliance with our general plan.

The pandemic and now supply chain issues should have given us some time to reflect on our impacts and values. Is business as usual working?

Where's innovation? Where are the requirements that the skin of the building be involved in meeting one, two, or three plusses to the environment? (Solar orientation, garden or growing vegetation for food and shelter, bird housing, water or energy storage? to name a few.)

I compiled a list of environmental concerns and innovative solutions and presented them to the council. I am adding my list here. In some Scandinavian countries new housing is required to provide rainwater or gray-water cisterns, energy production, and energy storage. (See Dutch Windwheel) I read that Great Britain requires new housing to provide the front lower facade for battery storage. Turkey optimizes roofs for rainwater harvesting. Singapore has a LUSH Garden Law, including food production requirements within the facades or skins of buildings. We need more than bump-out language.

I fear that the first project that clears the checklist hurdle becomes the cookie-cutter for all future development…. Cookie-cutter laws or the lack of subjectivity should be open to public discussion because our General Plan includes not allowing repetition of design. You have to remove those provisions from our General Plan or make this document in compliance with the general plan.

Rear wall articulation required is debatable. There are times where design by book doesn't work, like along rail corridors, where bump-

outs and fenestration just become pigeon lofts and toxic emission zones from idling traffic and delivery trucks.

There is no reason to believe the pretense that the cookie-cutter approach provides usable, functional space. What about design standards that require every bedroom to have a window or natural lighting, i.e. must include light wells and skylights? Orientation to maximize passive solar heating and cooling may require northern facades to be a different type of feature.

Where is the check list?

Please include garden walls in this ordinance so that we mitigate air pollution from the future gridlock community this will inevitably create.

Please include requirements that meet sustainability goals for rainwater and energy retention which may allow/require the skins and walls and open space areas to be multi-purpose.

Owners unwilling to incorporate must contribute to a community garden, community sustainable energy project, or community open space project.

Our General Plan was constructed with a standard for open space and recreation per resident that we remarked was higher than national averages. IF you only look at the facades of the projects and miss the foundations of our community, then this document is not in compliance with our General Plan, it will not create a livable community. It should be sent back for revisions that recognize the community standards as a whole, not one unit at a time to a community that has not been given all the relevant information.

Perhaps the building commissioner should be an elected official that presents their qualifications for adjudication rather than be an "assignee" at the discretion of the hiring of the City Manager.

Water issues-
https://www.sfgate.com/bayarea/article/Santa-Clara-Bay-Area-water-restrictions-drought-16235537.php

Loss of Salmon due to Water Policies Favoring Almond Industry:
https://www.latimes.com/opinion/story/2021-07-26/editorial-california-salmon-extinction-extreme-heat

Urban Heat Islands -Cooling by Design - Importance of Vegetation: Garden City Concept-
https://www.youtube.com/watch?v=PM101DvvG4Q

Issues with Building on Landfills-
Building failures on garbage landfill Sampoong, South Korea
https://www.youtube.com/watch?v=259gYwTWUyU

Millennium Tower sinking, lawsuits
https://www.youtube.com/watch?v=NFY906qlao0

Millennium Upgrade Problems
https://www.youtube.com/watch?v=OgQncSHLfaMs

Sinking sidewalks in Mission Bay
https://www.youtube.com/watch?v=Ef84rFGGykE
https://www.youtube.com/watch?v=jjZmTmZ9Ay8

EPA Vulnerability of Landfills in Coastal Communities by Climate-Induced Impacts:
https://www.epa.gov/sites/default/files/2019-11/documents/vulnerability_of_waste_infrastructure_to_climate_induced_impacts_in_coastal_communities.pdf

Updated Standards for Solid Waste Landfills:
http://www.gfredlee.com/Landfills/Status_Developing_Protective_MSW_Landfills.pdf

Refer to Recent USGS Tsunami Mapping.

Liquefaction in Tokyo: (10 years old)
https://www.youtube.com/watch?v=TzlodnjPAuc

Innovative Energy Production :
Dutch Windwheel starts at 4:20
https://www.youtube.com/watch?v=nNp21zTeCDc

Singapore's LUSH Garden Law
https://www.youtube.com/watch?v=2ueVw83Plec

South San Francisco Eyeing Limits on Biotech
https://www.smdailyjournal.com/news/local/south-san-francisco-eyeing-limits-on-research-and-development/article_47c526cc-096d-11ec-bbe4-c3de2e3cd69c.html

From: Barbara Ebel <ecology@greenknowe.org>
Sent: Tuesday, November 16, 2021 12:26 PM
To: Padilla, Ingrid <ipadilla@ci.brisbane.ca.us>
Subject: for Planning commission tonight

Ingrid,

Please forward to the BPC as soon as possible. Im afraid I thought I had until Thursday to finish this, but looked at the calendar on Monday and noted the Planning Commission is meeting tonight and Council on Thursday. I have been working as had as I can to polish the up since finding my error.

I hope everyone will read it and give it due consideration.

--
Barbara Ebel

Case for using specific Architectural Styles as part of the Objective Design & Development Standards for Brisbane

Is it possible to use a term like Art Deco etc. in objective design standards? When I asked our consultants in a recent meeting on objective design standards, I and the other attendees were told that this is possible so yes. You can do this.

What area should be covered? I would recommend either major or minor renovation of the building exteriors in the NCRO-2 district. There are other options of course.

Why do this? There are multi-fold reasons, all of which come together to make a strong case.

Defining a style(s) upfront guarantees you a cohesive landscape. I have attended countless design meetings and Planning Commission session in my years in Brisbane. I can promise you that the architects rendering of the building is always lovely. There is never any trash on the ground, the colors are muted and blend well with other buildings and the particular shade of blue they have used to shade the sky. The birds sing and sun always shines in a rendering and it always looks great with the building next door. If only this was true in real life. Buildings often fall short of their forecast glory. By defining an architectural style(s), you can ensure at least one level of compatibility not provided by the draft standards.

We already have a number of beautiful Art Deco buildings on Visitacion, and one permitted design on San Bruno Ave. There are other architectural styles, but Art Deco, California Spanish and Arts & Crafts are already represented. In order to avoid an increasing mish-mash of styles, some of which have yet to be invented, go with what you have. I proposes adding one or more of the above to the ODDS.

The only guidelines in the proposed design standards center around building articulations and set backs. Articulations are nice, but they don't really define a standard or "look" for an area. You can have Art Nuevo buildings with articulations. You can have Art Deco buildings with articulations. You can have Brutalist buildings with set backs and articulations. Articulations and set backs don't promise you anything about the building you will get other than that it will have set backs and articulations. This is a sort of like saying you like cars, but you only want cars with wheels. So Tesla or El Camino?

Architecture is flighty and fad driven. It is constantly seeking to reinvent itself like runway couture. Some times the results are good, but it also results in a lot of rotten eggs. (see Blobitecture, which btw, is probably compatible with the currently contemplated objective design standards) The Brianna Rennix & Nathan J. Robinson article, "Why You Hate Contemporary Architecture" states Boston's City hall looks like a "hideous concrete edifice of mind-bogglingly inscrutable shape, like an ominous component found left over after you've painstakingly assembled a complicated household appliance," and "that people were begging for it to be torn down before it was even completed." If having big names design buildings cannot guarantee a pleasing design, how can we expect to get good results with every project picking arbitrary styles independently? https://www.currentaffairs.org/2017/10/why-you-hate-contemporary-architecture

What would be the impact? Take the 23 Club as an examples. Its a much loved building with loads of history, a great interior and a rather unremarkable exterior. Its probably going to be redeveloped soon and one of three things can happen. The exterior could remain relatively unchanged and rather dull. It could be remodeled into some modern facade of stacked and articulated rectangular elements and look out of place with the buildings on either side and loose its sense of connection to a cornerstone of Brisbane history. Or it could be subject of ODDS that include some limitations on architectural style and attain new character and charm (even though we cannot use those words in the ODDS.) The choice is clear.

Can it work? The answer is, it already has! When 50 San Bruno came before the Brisbane City Council for approval, the architect was asked to add more Art Deco details to the exterior of the building, and he did it! It wasn't even mandatory, but Mr. Trotter does a lot of work in this community and valued the opinion of the council, and we now have a really elegant design approved. We cannot expect architects that have no connection to this community to care about the aesthetic legacy the leave here long term. They are looking for a portfolio page at best. With one or more architectural styles included in the new objective design standards, we can replicate this success with 50 San Bruno.

This would be very good for Brisbane. Architecture helps define a sense of place. You don't have to be an expert to understand this. In the preceding Baylands EIR, it was projected that more people would head from Brisbane to the Baylands to shop than would come to old Brisbane from the Baylands. We will be looking at a net decrease in business for our local shops. We cannot hope to compete with the newness of the Baylands, so how do we make the businesses in old Brisbane a destination? One is having the right mix of cute and trendy shopping options. Hopefully the Brisbane Chamber can help us develop our business community into something robust. Another component is place making and you have an opportunity to make a start on that today. By choosing Art Deco, or frankly another style, you give old Brisbane an unique, *distinctive* appearance. Something that will stick in peoples minds. Residents often refer to Carmel as their ideal. Google describes Carmel as, 'known for the museums and library of the historic Carmel Mission, and the fairytale cottages and galleries of its village-like center." Every one I have spoken too in old Brisbane values its quaint charm. This could be us, but not if you let the future take a wandering course.

Why am I just now hearing about this option? I don't know. It's not like I haven't been saying this for years. My informal polling of residents on social media in February had an overwhelmingly positive response. Shelley Hodes and Frank Martin agreed, "Some of the box structures along Visitation can not be restored into their former glory as there never was any." Shelly pondered, "what other idea can we come up with to keep our downtown quaint and historic feeling? Number 1: Don't add more sterile boxy modern cost-cutting eyesores to the mix." She also disparaged older building being being made

contemporary to everyone's detriment. Our current tact of letting people do what they want as long as they required number of set backs and articulations are met will not preserve the charming buildings and history we do have.

Leesa Greenlee suggested adding a number of styles to give owners further options but still keep the pallet somewhat cohesive. Leesa noted an example of Arts and crafts style at 248 Visitacion and examples of the California Spanish at 400 Visitacion, Madhouse Coffee Shop. Examples of Art Deco are located at 31 & 185 Visitacion. She noted that many of the buildings appeared to have been built in the 1930 and still bear some resemblance to the Art Deco style of that era.

Will there be objections? Yes, there always are. Let's get this done. Lets' get something done. I have been begging for this since 2017, maybe earlier and the stakes are so much higher now with the state requirement for ODDS. Really, I'd take anything except total inaction. Its like standing at the alter. Speak now, or forever hold your piece because what ever you ask for today, is what we are going to be married to for a long time.

From: Swiecki, John
To: Beggs.Kelly
Subject: Fwd: Zoning density, Old Business C
Date: Monday, November 15, 2021 6:59:54 AM

From: anjakmiller@cs.com
Date: November 13, 2021 at 23:09:52 PST
To: "Swiecki, John" <johnswiecki@ci.brisbane.ca.us>
Cc: Sayasane Pamala AT yahoo <sayasanelaw@yahoo.com>
Subject: Zoning density, Old Business C
Reply-To: "anjakmiller@cs.com" <anjakmiller@cs.com>

To the Planning Commission:

Having followed the extensive discussions among the State's elected local officials regarding SB9 and SB10, I am convinced that this legislative effort, along with the housing enforcement measures by the administration, are not intended to provide for affordable housing but for continued support for developers of market-rate housing.

Your task, I hope, is to carefully examine the text of these bills regarding fire-safety districts and lot sizes in Brisbane. The "design standards" could help us avoid the worst.

Thank you for your honest work,

Anja Miller

To: Planning Commissioners, Staff, and the Public

From: Tom Heinz, 41 Humboldt Rd. Brisbane, CA 94005 415.468.8587

RE: ODD Regulations RZ-2-21

November 17, 2021

I've been accused of being against housing. To the contrary, I have always advocated for good architecture, which has gone unheeded. I want the best for Brisbane, not the minimum!

As a retired architect, I see multiple issues with this proposal. Please compare apples with apples and oranges with oranges. The cities that were mentioned are completely devoid of actual comparisons or similarities to Brisbane. Check population vs. acreage, size of houses, lots etc. Brisbane is small and unique. I am offended when outsiders come into our community and tell us we don't deserve anything better than the bare minimum.

Smaller lot size doesn't dictate less parking!!! Regarding guest parking reduction, what about the many families with both parents working, and with 2 teenage daughters? That's 4 cars. Where do their boyfriends park when they visit? Where does grandma park, 7 blocks away? These minimums are dictated by developers who do not want to spend money as it might mean less money in their already fat wallet. That's not design.

When you break the façade every 30 feet, then all the buildings will look alike, only colors and textures different. It's poor architecture and looks like no one had an imagination. Rubber stamp architecture, cookie cutter architecture. Pull a drawing from another project, change a few numbers and you have designed something new? When there is only color/texture variation it then looks 'facady', patchy, not a coherent, integrated well-designed building. Yes, engineers can build a building, but they are not designers, nor even trained in aesthetics, nor how to use the sun or the terrain in their design. Nor are developers.

Why do we (WE, the City/people of Brisbane) have to look like El Camino? Are we planning to build that big?? Brisbane has always been a unique and special place and this proposal wants to homogenize us into automatons. Why not hire lots of different architects – think jobs – not just one developer-designed, nor engineer-designed. Do you have art in your house? Where's the art here?

People are individuals – why should all their housing look the same, monotonous? As a society we become mere drones when we lack imagination. When everyone thinks the same, no one is thinking. When design becomes based on how much it costs a developer to add one more car space it is not design but greedy capitalism. Without imagination we become stagnate individuals.

Setbacks in the rear? Please travel through any of the alleys in South San Francisco, or the new Airport Blvd. at the intersection of Grand Ave. and Bayshore Blvd. and ask yourself if you would sit out on your balcony? This type of set back does not allow any more light into the house than the front. Setbacks in the front help reduce the visual massing on the street side. Define visual interest. It's certainly not just color and texture, so please define.

It was said that this is merely mechanical discussion. Mechanical discussions yield mechanical designs.

Define the qualifications of the Zoning Administrator. Will it be an elected position, so we see the credentials of those running and be able to choose?

Respectfully,

Tom Heinz