



MEMORANDUM

DATE: November 13, 2025
TO: Planning Commission
FROM: Ken Johnson, Senior Planner
SUBJECT: Workshop – Brisbane Acres Density Transfer Provisions, potential amendment per Housing Element Program 2.G.1

OBJECTIVE

The purpose of tonight’s workshop is to discuss and receive Planning Commission feedback on potential amendment to the zoning ordinance, per the 2023-2031 Housing Element Program 2.G.1, and to outline next steps.

Housing Element Program 2.G.1 requires the City to:

“Study potential updates to the Residential-Brisbane Acres (R-BA) zoning district density transfer program to expand allowable ‘receiving’ sites to include sites in other residentially or mixed-use zoned districts in the City to facilitate preservation of privately owned parcels in the R-BA zoning district and allow development rights to be transferred to parcels with access to existing infrastructure and lesser habitat value.”

The intent is to help achieve the goal of facilitating housing production. Note that the program did not commit the City to a specific amendment to the district development regulations.

The Housing Element committed the City to undertake this study by December 2025.

BACKGROUND

Current Density Transfer Provisions: In 2003, City Council adopted ordinance 473, which established density transfer provisions in the R-BA Brisbane Acres Residential District, Brisbane Municipal Code (BMC) Section 17.12.050. The density transfer provisions were adopted to facilitate preservation of lands in the R-BA district with significant environmental resources. The density transfer provisions allow for transfer of housing development potential from sites with significant environmental resources, “sending sites”, to sites that do not have such resources and are near existing infrastructure “receiving sites”. The aim of density transfer is to preserve higher resource sites as open space. The adopted density transfer provisions are provided for reference (Attachment 1).

Generally, sites that may meet the criteria for sending sites are those identified within the Priority Preservation Area, as shown on the annotated zoning map (Attachment 2).

The minimum housing unit density in the R-BA is normally 1 unit per 20,000 sq ft of land area. However, through density transfer, a receiving site of at least 20,000 square feet (sq ft) may be divided into smaller sites, but not less than 5,000 sq ft.

As an example, a “sending site” of 60,000 square feet with significant environmental resources could

send up to 3 transfer units (1 unit per 20,000 sq ft) to a “receiving site” of 20,000 sq ft, to allow for development of a total of 4 housing units on the receiving site. Note that the smallest resultant lot size allowed via density transfer is 5,000 sq ft. For comparison, 5,000 sq ft is the current lot size minimum that’s permitted in the adjacent R-1 residential district. Ownership of the sending site would be given to the City, for dedication to open space.

Note also that density transfer must be approved as a use permit by City Council, following Planning Commission recommendation, based on the findings outlined in Attachment 1. Additionally, a design permit is required for development of the resultant density transfer receiving sites.

To date, only one density transfer project has been completed. That resulted in development of 3 housing units along San Diego Court.

Open Space Element: Consistent with the Open Space Element of the General Plan, over the past 30 years +/-, the City has been acquiring lands within the upper Brisbane Acres, which are those lands that generally meet the criteria for having significant environmental resources, as outlined above, for dedication to open space. And the City is continuing to seek such acquisition opportunities. See the attached annotated zoning map, that shows the City owned open space properties and the remaining vacant parcels that are in private ownership (Attachment 2).

Housing Element: As noted above, this workshop falls under the Housing Element Goal 2, “Facilitate and support the production of housing at all income levels, but especially affordable housing”. Under program 2.G.1, the City committed to “study potential updates to the Residential-Brisbane Acres (R-BA) zoning district density transfer program to expand allowable ‘receiving’ sites to include sites in other residentially or mixed-use zoned districts in the City to facilitate preservation of privately owned parcels in the R-BA zoning district and allow development rights to be transferred to parcels with access to existing infrastructure and lesser habitat value.”

DISCUSSION

As discussed above, the potential density transfer receiving sites are limited to the R-BA zoning district.

Expansion of the receiving sites beyond the R-BA could provide greater incentive for property owners of parcels in the areas with significant environmental resources to transfer their land to the City for open space, while at the same time, providing for additional housing units in other zoning districts that may be closer to City infrastructure, services and amenities.

The Housing Element program identifies potential zoning districts for expansion of the R-BA density transfer program as those zoned for residential or mixed use. The table provided below outlines the potential districts and the current zoned lot size minimums, housing unit densities and preliminary density increases for the Commission’s discussion.

District	Lot Size Minimum (sq ft)	Current Housing Unit Density Maximum	Preliminary - Potential Density (per 20,000 sq ft of R-BA open space dedication)	Notes
R-1 Residential	5,000*	1 unit/5,000 sq ft*	NA	*R-1 already allows for higher density, above the district standards, as provided under BMC Chapter 17.05 Residential two-unit overlay district.
R-2 Residential	5,000	1 unit/2,500 sq ft	1 unit/1,500 sq ft	Potential – Increase in density for multifamily, but suggest leaving minimum lot sizes as is.
R-3 Residential	5,000	1 unit/1,500 sq ft	1 unit/1,250 sq ft	
SCRO-1 Southwest Bayshore Commercial (mixed use)	7,500	1 unit/1,500 sq ft	1 unit/1,250 sq ft	
NCRO-2 Neighborhood Commercial Downtown Brisbane (mixed use)	2,500	By Use Permit	NA	
PAOZ-1 & 2 Parkside Overlay (residential)	NA	28 units/acre (1 unit/1,556 sq ft)	35 units/acre (1 unit/1,250 sq ft)	

A preliminary suggestion for Commission discussion is to allow for density transfer from the R-BA to the R-2, R-3, SCRO-1 and PAOZ Parkside zoning districts.

The R-1 is not included, since the district’s standard densities may already be exceeded by utilizing the provisions of BMC Chapter 17.05 - Two-unit overlay district. The NCRO-2 is also not included since there is no maximum density provided in the zoning ordinance and, per Housing Element 7.A.2, it will be considered separately for adoption of objective design standards.

The Commission may also consider whether it may be desirable to expand the criteria for sending sites to include other Brisbane Acres sites that may not have significant environmental resources, but are otherwise desirable for establishment of parklands that the City may utilize to provide a buffer to those significant sites, as well as for recreational trails, vistas or other purposes. The vacant lands within the Brisbane Acres that are not City owned are shown on Attachment 2.

NEXT STEPS

Next steps are to be determined based on the Planning Commission’s discussion tonight.

ATTACHMENTS

1. BMC Section 17.12.050 - Density Transfer
2. Annotated Zoning Map



Ken Johnson, Senior Planner

ATTACHMENT 1
R-BA Brisbane Acres Residential District
Density Transfer Provisions

BMC Section 17.12.050 - Density transfer.

A. In order to facilitate preservation of lands in the R-BA district with significant environmental resources, one or more additional dwelling units within the R-BA district, in addition to the dwelling unit otherwise permitted on a particular site, may be constructed under the conditions set forth in this Section 17.12.050. As used herein, the additional dwelling units are called "transfer units." The density transfer shall comply with all of the following requirements:

1. One transfer unit may be allocated to the site receiving the density transfer for each twenty thousand (20,000) square feet of land of the total area of the site or sites from which the transfer units are taken which is permanently dedicated to open space. No transfer units shall be allocated for any remaining portion less than twenty thousand (20,000) square feet. The method of retaining the dedicated land in permanent open space shall be approved by the city council upon recommendation of the planning commission and shall be implemented before any building or grading permit is issued for development on the site receiving the transfer units. Where dedicated open space is proposed to remain in private ownership, the applicant and property owner shall execute an agreement with the city for the continued maintenance of the open space, to be recorded with the county of San Mateo prior to issuance of any grading or building permits.

2. The site from which the transfer units are taken must be found to have value as open space based upon one or more of the following considerations:

- a. Contiguous with San Bruno Mountain State and County Park;
- b. Contains intact native vegetation;
- c. Contains endangered butterfly habitat;
- d. Contains permanent or semi-permanent wetlands;
- e. Forms a portion of a significant watercourse;
- f. Does not adjoin developed parcels on more than one side.

In making this determination, the planning commission and the city council shall be guided by the city's open space plan. The density transfer value of undeveloped "paper streets" in the upper Brisbane Acres may be recognized, once it is established that they are not subject to claims of access rights by easement or necessity from any remaining private property owners in the upper Brisbane Acres.

3. The site receiving the transfer units must be found suitable for development with increased density based on all of the following considerations:

- a. Has a total area of not less than twenty thousand (20,000) square feet;
- b. Does not contain any of the features of value for open space as described in subsections (A)(2)(a) through (A)(2)(e) of this section;
- c. Is adjacent to or relatively near existing development and infrastructure.

4. The type of development permitted on the site receiving the transfer units shall be single-family dwellings only, or single-family dwellings with accessory dwelling units consistent with the provisions of Chapter 17.43 of this Title. The site shall be subdivided into lots with a minimum lot area of five thousand (5,000) square feet subject to the maximum density permitted per Sections 17.12.040(A), 17.12.040(B) and 17.12.050(A)(1).

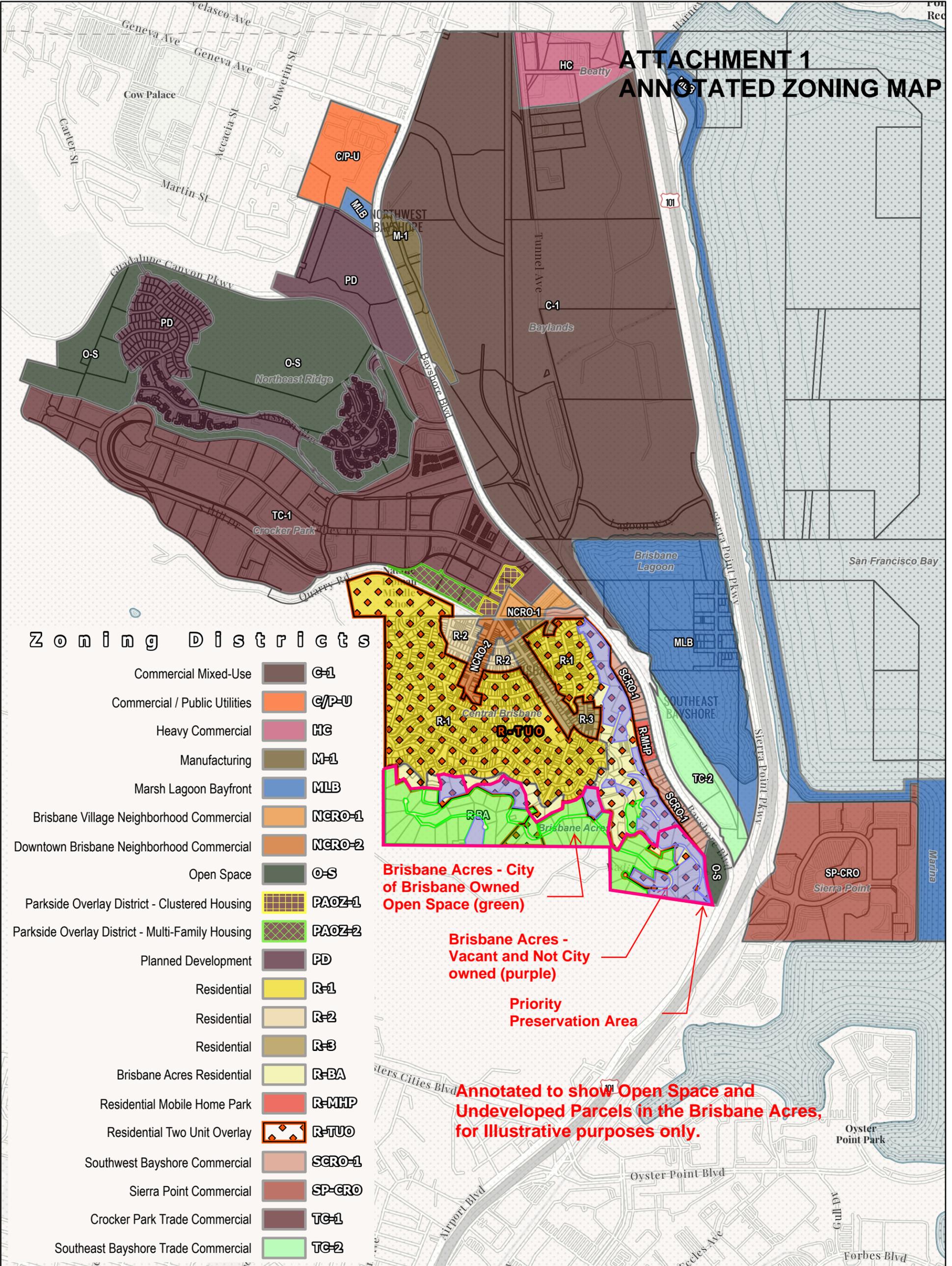
B. A use permit granted by the city council shall be required for all density transfers pursuant to this section. The use permit shall first be considered by the planning commission which shall make its recommendation to the city council. In addition to the findings for issuance of a use permit prescribed by Section 17.40.060 of this title, the approving authority shall find and determine that:

1. The transfer units will be sited, designed and constructed to avoid adverse effects upon environmentally sensitive areas both on and off site, such as disturbance of watercourses and hazardous geologic conditions;
2. The site receiving the transfer units will be served by infrastructure that meets city standards, as determined by the director of public works;
3. The site receiving the transfer units will have adequate parking and vehicular circulation; and
4. The proposed development of the site receiving the transfer units will be compatible with adjacent and nearby development and is designed to minimize its visual impact.
If the density transfer requires any other permits or discretionary approvals, except for the design permit required by Section 17.12.050(C), the applications for such permits or approvals shall be filed and processed concurrently with the application for the density transfer use permit.

C. As a condition of approval of the use permit referred to in Section 17.12.050(B), a design permit shall be required for any density transfer.

C I T Y O F B R I S B A N E

ATTACHMENT 1 ANNOTATED ZONING MAP



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Parcel and HCP GIS data provided by San Mateo County
Zoning GIS data provided by City of Brisbane

Z o n i n g D i s t r i c t s



City Council latest map amendment: 12/5/24