

DRAFT
BRISBANE PLANNING COMMISSION
Action Minutes of May 9, 2024
Hybrid Meeting

ROLL CALL

Present: Commissioners Funke, Lau, Patel, and Sayasane
Absent: Gooding
Staff Present: Director Swiecki, Senior Planner Johnson, Associate Planner Robbins

CALL TO ORDER

Chairperson Lau called the meeting to order at 7:30 p.m.

ADOPTION OF AGENDA

A motion by Commissioner Sayasane, seconded by Commissioner Funke to adopt the agenda. Motion approved 4-0.

CONSENT CALENDAR

A motion by Commissioner Funke, seconded by Commissioner Sayasane to adopt the consent calendar. Motion approved 4-0.

ORAL COMMUNICATIONS

There were none.

WRITTEN COMMUNICATIONS

Chairperson Lau acknowledged written correspondence pertaining to New Business Items A and B

NEW BUSINESS

- A. PUBLIC HEARING: Zoning Text and Map Amendment 2024-RZ-1, R-1 Residential District and the R-BA Brisbane Acres Residential District in entirety;** recommendation to City Council on zoning text and map amendment 2024-RZ-1 amending regulations within Title 16 and 17 of the Brisbane Municipal Code to add the R-TUO residential two unit overlay district as new chapter 17.05 and related amendments; and finding that this project is exempt from environment review under CEQA Guidelines Sections 15061(b)(1) & (3), Section 15183; City of Brisbane, applicant.

Senior Planner Johnson presented staff report to the Commission.

Commissioner Sayasane asked about the pending court decision on SB 9 in the Los Angeles Superior Court and whether the City's decision on the ordinance should be postponed until after that ruling has further played out. Director Swiecki responded, noting that Brisbane's legal counsel had reviewed this matter and indicated that the decision is from a trial court in southern California and is only applicable to those specific charter cities. It would not be applicable to Brisbane which is a general law city. In response to an inquiry as to what would happen if SB9 was repealed or invalidated, Mr. Swiecki responded the City could amend its zoning regulations accordingly.

Commissioner Patel asked about whether there were notification procedures included in the draft ordinance. Staff responded that there were not, since lot splits and two-unit developments are to be ministerial, per SB 9. Mr Swiecki noted an informational notification could be provided.

Chairperson Lau opened the public hearing.

With no one wishing to address the Commission, a motion was made by Commissioner Patel and seconded by Commissioner Funke to close the public hearing. The motion was approved 4-0.

After discussion, a motion was made by Commissioner Patel and seconded by Commissioner Funke to approve the application, including an informational notification provision to adjacent property owners, via adoption of Resolution 2024-RZ-1. The motion was approved 4-0.

Chairperson Lau read the appeal procedure.

B. PUBLIC HEARING: Zoning Text Amendment 2024-RZ-2, City-wide; recommendation to City Council on omnibus zoning amendments to modify the development standards for multifamily and residential mixed use zoning districts consistent with California Senate Bill SB 478 ("housing opportunity act") and as provided in the 2023-2031 Housing Element for building heights, lot coverage and floor area ratios, and related amendments, including, but not limited to, organizational amendments and amendments to development regulation exceptions and Zoning Administrator procedures; and finding that this project is exempt from environment review under CEQA Guidelines Sections 15061(b)(3), Section 15183; City of Brisbane, applicant.

Senior Planner Johnson presented staff report to the Commission.

Senior Planner Johnson responded to the Commission's questions regarding the balance between lot coverage and the floor area ratio for multifamily developments that would have a 1.25 floor area ratio maximum, the process for Planning Commission appeals on Zoning Administrator items, the rationale for increasing the height limit to 36 feet, the difference between minor versus and major modifications, and the neighbor notification process for Zoning Administrator applications.

Chairperson Lau opened the public hearing.

With no one wishing to address the Commission, a motion was made by Commissioner Patel and seconded by Commissioner Funke to close the public hearing. The motion was approved 4-0.

A motion was made by Commissioner Patel and seconded by Commissioner Sayasane to approve the application via adoption of Resolution 2024-RZ-2. The motion was approved 4-0.

Chairperson Lau read the appeal procedure.

ITEMS INITIATED BY STAFF

Director Swiecki noted the following:

1. County-wide planning commissioner training will be held at the end of May,
2. The City Council authorized staff to initiate the Bank of America planning process.
3. Jeremy Dennis was hired as the new City Manager.

ITEMS INITIATED BY THE COMMISSION

Commissioner Sayasane announced she registered for the commissioner training and invited the other members to join.

ADJOURNMENT

Chairperson Lau adjourned the meeting at approximately 8:44 p.m. to the next regular meeting of May 23, 2024.

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.