




MEMORANDUM

DATE: 11/14/2017

TO: Planning Commission

FROM: John Swiecki,  Community Development Director

SUBJECT: **Commission-Initiated Item - Zoning Text and Map Conformity with Brisbane General Plan**

The above –referenced matter has been agendized per the request of Chairperson Munir. The attached material was submitted by Chairperson Munir and has been attached for reference purposes.

Attachment:

1. Correspondence submitted by Chairperson Munir

Zoning Text and Map Conformity with Brisbane General Plan

In order to bring the Zoning Text and Zoning Maps into alignment with the Brisbane General plan, the following adjustments are requested:

- Northeast Bayshore subarea: Change zoning map and text from “M-1” to “TC”. Apply the same zoning text amendments as were recently made to the Southeast Bayshore subarea to the Northeast Bayshore subarea.
- Beatty subarea: Change zoning map from “C-3” to “HC”. Keep zoning text label “HC”. Make no further changes to the HC zoning text.
- Baylands: Change zoning map from “C-1” to “PD-TC”. Re-title Chapter 17.13 of the Zoning text from “C-1 Commercial Mixed Use District” to “Planned Development / Trade Commercial District”. Add information from the General Plan description of a Planned Development district to section 17.13.020, Purpose. Update section 17.13.030, Conditional Uses as necessary.

See details below for specific recommendations.

The 1994 Brisbane General Plan states:

The descriptions of the General Plan land use designations that follow are broadly drafted, as befits the intent of a General Plan. Specificity of land use by district is the province of the City's Zoning Ordinance. After adoption of a General Plan, the zoning map and zoning district regulations are analyzed to determine whether changes are necessary to conform to the adopted General Plan land use designations and policies.

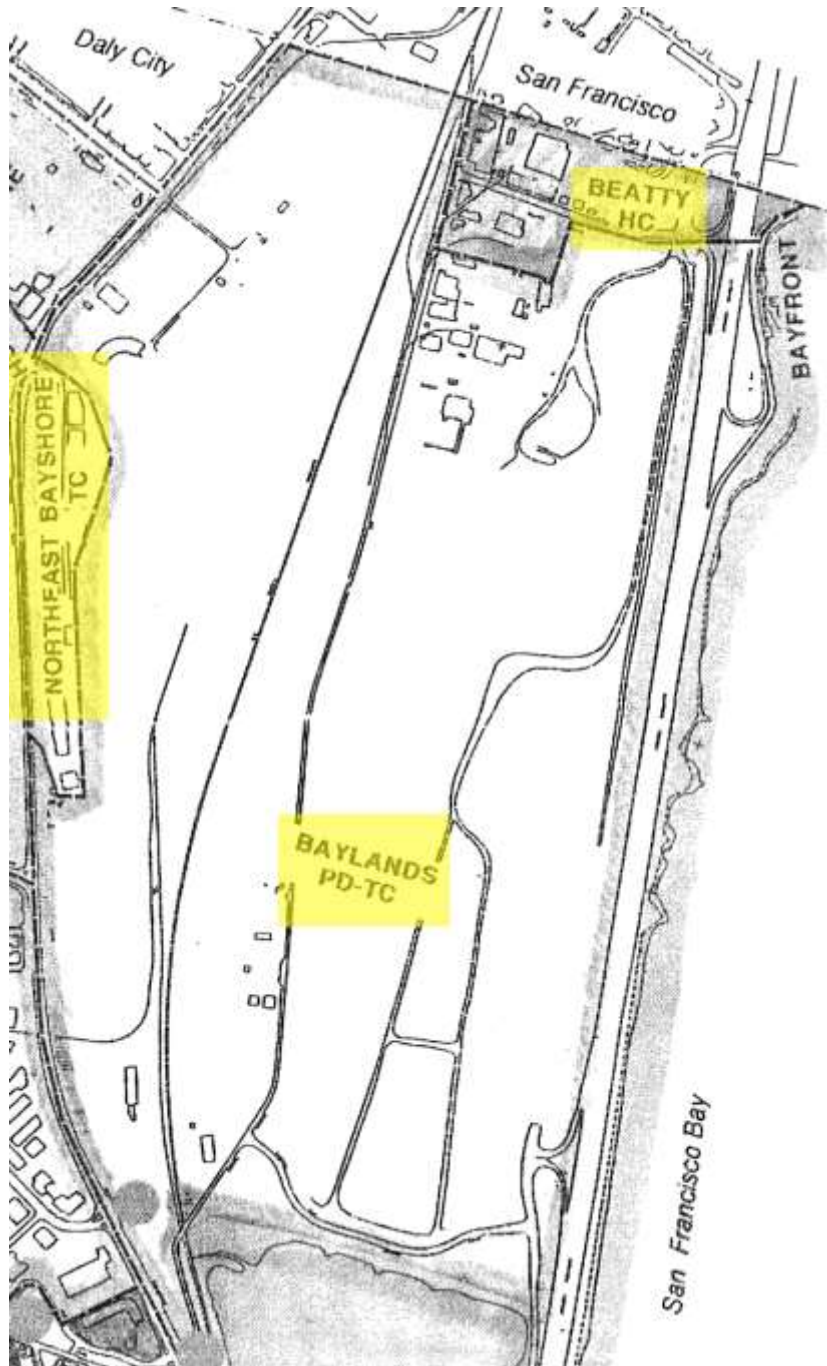
p. 60, Section V.2 THE 1994 GENERAL PLAN LAND USE MAP AND LAND USE DESIGNATIONS

<http://brisbaneca.org/sites/default/files/brisbaneca/ChapterVLandUse.pdf>

This was done for Brisbane commercial districts in the early part of 2017.

- 13 April 2017 GPA-1-17/Zoning Text and Map Amendment RZ-1-17
<http://brisbaneca.org/sites/default/files/2017-04-13PCMinutes.pdf>
- 23 March 2017 Northwest Bayshore General Plan Designation and Zoning
<http://brisbaneca.org/sites/default/files/2017-03-23PCMinutes.pdf>
- 9 March 2017 TC-2 Southeast Bayshore Trade Commercial District
Bayshore Boulevard and adjacent City and Caltrain right-of-way properties; Zoning Text & Map Amendment RZ-3-16;
<http://brisbaneca.org/sites/default/files/2017-03-09PCMinutes.pdf>

The General Plan Land Use map contains the following three land use designations in the Baylands:



General Plan p. 61

Heavy Commercial – HC

Trade Commercial – TC

Planned Development – PD

Heavy Commercial (HC) provides for bulk sales, offices, meeting halls, vehicle storage and equipment maintenance. It also allows outside storage of vehicles and equipment. No materials storage, other than that associated with bulk sales and no processing of materials are permitted. Subareas designated Heavy Commercial are required to have an adopted specific plan to guide development in the area.

Planned Development (PD) designates subareas that are primarily vacant and that present unique development constraints. Subareas designated PD may be combined with other land use designations and/or site specific uses may be included in this Plan to guide the development of implementing zoning district regulations. Subareas designated PD require a specific plan and environmental impact report prior to any development of the property. A minimum of 25% of the surface land of any subarea designated Planned Development shall be in open space and/or open area.

Trade Commercial (TC) represents a mix of commercial uses including warehouses, distribution facilities, offices, retail uses, restaurants, commercial recreation, personal services, as well as light industrial, research and development, and uses of a similar character. Public and semipublic facilities and educational institutions may be located under this designation. Repair and maintenance services, such as auto body repair shops, may be conditionally permitted in the implementing zoning districts. In such districts, certain individual or groups of uses may predominate, thus distinguishing the districts one from the other.

In contrast, the Zoning Map (<http://brisbaneca.org/sites/default/files/ZoningMap.pdf>) has:

M-1 Manufacturing District

C-3 Beatty – Heavy Commercial District

C-1 Baylands – Commercial Mixed Use District

Note that the Southeast Bayshore district was re-designated from M-1 Manufacturing to TC in the aforementioned Planning Commission meeting of 9 March 2017. The same treatment should be applied to the Northeast Bayshore district.

The zoning text describes the Beatty subarea as:

Chapter 17.15 - HC: BEATTY HEAVY COMMERCIAL DISTRICT

https://library.municode.com/ca/brisbane/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.15HCBEHECODI

The zoning text for the Beatty subarea is therefore already in compliance with the general plan; the zoning map should be changed to use the “HC” designation found in the zoning text and general plan, in order to avoid any potential confusion.

C-1 Zoning Text:

https://library.municode.com/ca/brisbane/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.13COMIEDI

17.13.030 - Conditional uses.

A. Retail sales;

B. Offices;

C. Residential uses

“Such uses shall be subject to the city's expressed intent that uses allowed in the C-1 district be primarily nonresidential.”

D. Bulk sales;

E. Open space

“Such uses shall retain sufficient acreage for a golf course, preferably in the general area designated in the 1980 general plan.”

F. Recreational facilities;

G. Statuary;

H. Public and quasi-public facilities, service and utility uses;

I. Commercial services;

J. Hotels;

K. Research and development

“Such uses shall be subject to the city's expressed concern with and right to exclude facilities which involve high use or generation of hazardous materials.”

L. Educational institutions.

Comparison

	Zoning Text	General Plan Allowance
A	Retail sales	Retail uses
B	Offices	Offices
C	Residential uses	n/a
D	Bulk sales	“Uses of a similar character”
E	Open space	“A minimum of 25% of the surface land of any subarea designated Planned Development shall be in open space and/or open area.”
F	Recreational facilities	Commercial recreation
G	Statuary	“Uses of a similar character”
H	Public and quasi-public facilities, service and utility uses	Public and semipublic facilities, restaurants, personal services, as well as light industrial.
I	Commercial services	Warehouses, distribution facilities. Repair and maintenance services, such as auto body repair shops, may be conditionally permitted.
J	Hotels	n/a
K	Research and development	Research and development

L	Educational institutions	Educational institutions
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Uses specifically mentioned in the General Plan, but only implied in the Zoning Text, such as Warehouses, distribution facilities, repair and maintenance service, restaurants, and light industrial could optionally be added to the zoning text for additional clarity.

Bulk sales and statuary, while not specifically mentioned in the General Plan, could be considered to be “uses of a similar character”. These items could therefore remain in the zoning text.

Residential uses and Hotels, not permitted in the 1994 general plan, should be removed from the zoning text.