

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 3/8/12

FROM: Ken Johnson, Associate Planner, via John Swiecki, Community Development Director

SUBJECT: General Plan Amendment GPA-1-11 and Zoning Text Amendment RZ-9-11 to Allow Relocation and Expansion of Existing Uses within the Baylands Subarea, C-1 Commercial Mixed Use District; Golden State Lumber, applicant

REQUEST: The applicant proposes to amend Policy 329.1 of the General Plan and text of Zoning Ordinance Chapter 17.13 (C-1 Commercial Mixed Use District) to allow for the relocation and expansion of existing uses within the Baylands Subarea without the requirement to adopt a Specific Plan. The requested amendments address this policy issue only. There is no specific project or physical development proposed in conjunction with this amendment request.

The proposed revision to General Plan policy 329.1 is shown as follows (redlined text indicates the proposed change):

“Policy 329.1 Adopt one or more specific plans and accompanying environmental impact reports prior to any development of the subarea; with the exceptions of expansion and/or relocation of uses that were legally established prior to 1991.”

Proposed zoning text language is attached to this report. In summary, along with the required environmental review, any such expansion or relocation would be subject to conditional use permit approval. In addition to the standard use permit findings the following findings would be required to be made in order to grant a use permit:

1. The proposed use will not obstruct, interfere with, or delay the intended redevelopment of the larger Baylands subarea in accordance with the General Plan;
2. The use will provide either or both of the following benefits:
 - A benefit to the property, including, but not limited to, the elimination of blight or unsightly or hazardous conditions, or will facilitate the redevelopment of the Baylands, or
 - A benefit to the public, such as the creation of jobs or revenues or the provision of needed goods or services.

RECOMMENDATION: The Planning Commission recommend that the City Council:

- Find the proposed project will not have a significant effect on the environment and adopt a Negative Declaration;
- Approve General Plan Amendment GPA-1-11 via adoption of resolution GPA-1-11;
- Approved Zoning Text Amendment RZ-9-11 via adoption of resolution RZ-9-11.

ENVIRONMENTAL DETERMINATION: The attached initial study prepared pursuant to the California Environmental Quality Act (CEQA) supports the conclusion that the proposed policy change will not result in a significant effect on the environment and that a Negative Declaration be adopted. Staff notes that any future development that may be proposed pursuant to the amendments will be subject to project and site specific environmental review.

BACKGROUND: The 1994 General Plan and Brisbane Municipal Code (BMC) Chapter 17.13 require that a specific plan be prepared for any development within the Baylands subarea/C-1 Commercial Mixed-use zoning district. The C-1 district makes up the entirety of the land area in the Baylands subarea. The intent of this requirement is to ensure that the planning of this large district is undertaken in a comprehensive and holistic fashion. While the Baylands Specific Plan process is ongoing, the final resolution of the land use issues and adoption of a specific plan is still some number of years away. The consequence is that existing businesses with the Baylands subarea such as Sierra Point Lumber are unable to relocate or expand their operations until this process is finalized. Sierra Point Lumber has expressed an interest in having the flexibility to relocate and expand their operations in the Baylands before the Specific Plan process is complete and has therefore filed the proposed amendment.

STAFF ANALYSIS: Staff is fully supportive of the intent to the existing General Plan and zoning text to ensure that overall planning within the Baylands occurs in a comprehensive and integrated fashion, and the ongoing planning process and forthcoming Baylands draft EIR is a valuable step in this direction. However, the requirement for the Specific Plan to be finalized has potentially adverse consequences to individual businesses within the Baylands subdistrict. Their operational plans to expand or relocate are subject to the outcome of a process that they do not control, which may have the undesired consequence of forcing them to look at relocating outside the City of Brisbane to operate their business. As an alternate, the option of individual businesses preparing independent specific plans for small standalone projects is an inefficient approach which does not further the General Plan objective for coordinated and comprehensive planning of the larger Baylands. Staff believes that the use permit process as recommended with the findings described above provides individual businesses the flexibility to move forward with their own development plans, while providing the City enough control to ensure that any such projects will not jeopardize the long term redevelopment of the larger Baylands subarea.

Additionally, the proposed amendments would be consistent with other applicable sections of the General Plan. Economic Development Element Policy 8 states, "Maintain and diversify the City's tax base, consistent with community character, in order to generate adequate revenues for City Government and sustain a healthy local economy", and Land Use Element Policy 23 states,

“Encourage the maintenance and upgrading of structures and sites that have played important roles in the City's history”.

ATTACHMENTS:

- Resolution no. GPA-1-11/RZ-9-11
- Draft Zoning Ordinance Redlined
- Applicant's Statement

RESOLUTION NO. GPA-1-11/RZ-9-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRISBANE
RECOMMENDING TO THE BRISBANE CITY COUNCIL ADOPTION OF THE GENERAL PLAN
AMENDMENT GPA-1-11 AND ZONING TEXT AMENDMENT RZ-9-11 AND APPROVAL OF
THE ASSOCIATED NEGATIVE DECLARATION
AND ADOPTION OF THE CEQA FINDINGS

WHEREAS, on December 15, 2011, Golden State Lumber applied for a General Plan Amendment and Zoning Text Amendment to amend General Plan policy 329.1 and to amend Brisbane Municipal Code Section 17.13.040, in order to allow for relocation/expansion of existing uses without the preparation of a specific plan; and

WHEREAS, on February 16, 2012, the Initial Study/Negative Declaration was published and a 20 day public comment period lasting until March 8, 2012 was provided; and

WHEREAS, the Public Notice of Availability was mailed to all property owners within within 300 feet of the boundaries of the subarea, to a list of interested parties, and posted in Brisbane and the San Mateo County Clerk's Office; and

WHEREAS, the Planning Commission held a public hearing on the proposed General Plan Amendment GPA-1-11, the proposed Zoning Text Amendment RZ-9-11, and the Environmental Initial Study/Negative Declaration during its meeting of March 8, 2012; and

WHEREAS, the minutes of the Planning Commission meeting of March 8, 2012, are attached and incorporated by reference as part of this resolution; and

WHEREAS, the Planning Commission has determined that the requested General Plan Amendment and Zoning Text Amendment are appropriate to allow for expansion and/or relocation uses that were legally established on the Baylands prior to 1991; and

WHEREAS, the proposed General Plan Amendment and Zoning Text Amendment are consistent with the Brisbane General Plan Economic Development Element Policy 8 "Maintain and diversify the City's tax base, consistent with community character, in order to generate adequate revenues for City Government and sustain a healthy local economy", and Land Use Element Policy 23 "Encourage the maintenance and upgrading of structures and sites that have played important roles in the City's history"; and

WHEREAS, the proposed amendment to General Plan Policy 329.1 is consistent internally with the General Plan, consistent with the proposed zoning ordinance, and will allow the overall planning within the Baylands to continue to occur in a comprehensive and integrated fashion.

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 General Plan Amendment, (Exhibit A), the attached Zoning Text Amendment as shown in the draft Ordinance No. 572 (Exhibit B), and the attached Initial Study/Negative Declaration, (Exhibit C) to allow for potential expansion and/or relocation of existing uses, legally established prior to 1991, within the Baylands Subarea/C-1 Commercial Mixed Use Zoning District.

JAMEEL MUNIR
Chairman

G.1.4

I hereby certify that the foregoing Resolution No. GPA-1-11/RZ-9-11 was duly and regularly passed and adopted by the Brisbane Planning Commission at a regular meeting thereof held on March 8, 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

JOHN A. SWIECKI
Community Development Director

G.1.5

EXHIBIT A
Proposed Amendment to the 1994 General Plan
(redlined text indicates the proposed change)

“Policy 329.1 Adopt one or more specific plans and accompanying environmental impact reports prior to any development of the subarea; **with the exceptions of expansion and/or relocation of uses that were legally established prior to 1991.**”

Exhibit B

Draft ORDINANCE NO. 572

AN ORDINANCE OF THE CITY OF BRISBANE AMENDING CHAPTER 17.13, C-1 COMMERCIAL MIXED-USE DISTRICT TO ALLOW FOR EXPANSION AND/OR RELOCATION OF USES ON THE BAYLANDS

WHEREAS, on December 15, 2011, Golden State Lumber applied for a General Plan Amendment and Zoning Text Amendment to amend General Plan policy 329.1 and to amend Brisbane Municipal Code Section 17.13.040, in order to allow for relocation/expansion of existing uses without the preparation of a specific plan; and

WHEREAS, on February 16, 2012, the Initial Study/Negative Declaration was published and a 20 day public comment period lasting until March 8, 2012 was provided; and

WHEREAS, the Public Notice of Availability was mailed to all property owners within within 300 feet of the boundaries of the subarea, to a list of interested parties, and posted in Brisbane and the San Mateo County Clerk's Office; and

WHEREAS, on March 8, 2012 the Brisbane Planning Commission recommended that the City Council approve the proposed General Plan Amendment GPA-1-11, the proposed Zoning Text Amendment RZ-9-11, and the Environmental Initial Study/Negative Declaration; and

WHEREAS, on _____ the City Council conducted a hearing on the proposed project, at which time any person interested in the matter was given opportunity to be heard; and

WHEREAS, the proposed General Plan Amendment and Zoning Text Amendment are consistent with the Brisbane General Plan Economic Development Element Policy 8 "Maintain and diversify the City's tax base, consistent with community character, in order to generate adequate revenues for City Government and sustain a healthy local economy", and Land Use Element Policy 23 "Encourage the maintenance and upgrading of structures and sites that have played important roles in the City's history"; and

THE CITY COUNCIL OF THE CITY OF BRISBANE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 17.13 of the Municipal Code is amended to read as follows:

Chapter 17.13 - C-1 BAYLANDS COMMERCIAL MIXED-USE DISTRICT

Sections:

17.13.010 - Purpose.

17.13.020 - Permitted uses.

17.13.030 - Conditional uses.

17.13.035 - Expressly prohibited use.

G1-7

17.13.040 - Development regulations.

17.13.045 - Development standards.

17.13.010 - Purpose.

A. To provide a suitable environment for the development of tax revenue-producing commercial enterprise and to encourage the orderly development of the area so that opportunities are present to establish a mix of uses that support, enhance and otherwise encourage the success of the district. There shall be no fabrication, manufacture, processing or treatment of materials in this district other than that which is clearly incidental to a business where all products therefrom are sold on the premises;

B. To establish procedures to integrate commercial mixed-uses and structures that produce an attractive and safe environment which are superior to those which would result from standard district regulations.

17.13.020 - Permitted uses.

The following uses are permitted in the C-1 district:

A. No uses are permitted without first obtaining a conditional use permit.

17.13.030 - Conditional uses.

Conditional uses allowed in the C-1 district, subject to obtaining a use permit as set forth in Chapter 17.40, are as follows:

- A. Retail sales;
- B. Offices;
- C. Residential uses
- D. Bulk sales;
- E. Open space
- F. Recreational facilities;
- G. Statuary;
- H. Public and quasi-public facilities, service and utility uses;
- I. Commercial services;
- J. Hotels;
- K. Research and development
- L. Educational institutions.

17.13.035 - Expressly prohibited use.

Commercial parking lots, as defined in Chapter 17.02, are declared to be expressly prohibited in the C-1 district.

17.13.040 - Development regulations.

A. Prior to establishment of a use and/or construction of a building, pursuant to Section 17.30.030, a specific plan shall be adopted by the City of Brisbane, pursuant to the provisions of California Government Code Section 65451 and 65452.

B. Exceptions: The following are permitted prior to adoption of a specific plan pursuant to Section 17.13.040.A:

1. Interim Uses: Interim uses as set forth in Chapter 17.41.

2. Existing Uses: Expansion and/or relocation of uses legally established prior to 1991 shall be subject to the granting of a use permit in accordance with the provisions of Chapter 17.40 and a design permit in accordance with the provisions of Chapter 17.42.
 - a. Required Findings: In considering an application for expansion and/or relocation of uses, in addition to the provisions of Chapters 17.40 and 17.42, the planning commission shall consider and give due regard to make the following findings:
 1. The proposed use will not obstruct, interfere with, or delay the intended redevelopment of the larger Baylands subarea in accordance with the General Plan;
 2. The use will provide either or both of the following benefits:
 - i. A benefit to the property, including, but not limited to, the elimination of blight or unsightly or hazardous conditions, or will facilitate the redevelopment of the Baylands, or
 - ii. A benefit to the public, such as the creation of jobs or revenues or the provision of needed goods or services.

17.13.045 - Development Standards:

- A. Specific Plan. Development and design standards shall be established in a specific plan adopted by resolution of the city council for the parcels proposed for development, pursuant to Section 17.13.040.A.
- B. Interim Uses. Development standards for uses subject to the provisions of Section 17.13.040.B.1 shall be established by the interim use permit process.
- C. Expansion/Relocation of Existing Uses. Development standards for uses subject to the provisions of Section 17.13.040.B.2 shall be established by the use permit process. They shall also reflect consistency between the site and plans under consideration for the larger subarea and shall be consistent with the General Plan.
- D. Recycling Area Requirements. The following recycling area requirements shall apply to all development in the subarea:
 1. Adequate, accessible and convenient areas for depositing, collecting and loading recyclable materials in receptacles shall be provided. The area shall be located and fully enclosed so as to adequately protect neighboring uses from adverse impacts such as noise, odor, vectors, wind-blown litter or glare. The area shall be designed to prevent storm water run-on to the area and runoff from the area, and roofs shall be designed to drain away from neighboring properties. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the area.
 2. This requirement shall apply to all new commercial, industrial, or 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 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 applications for one or more building permits for a single or multiple alterations submitted by any tenant within a twelve-month period collectively adding thirty percent (30%) or more to the existing floor area of that portion of the development which said tenant leases. Such recycling areas shall, at a minimum, be sufficient in capacity, number, and distribution to serve that portion of the development project which said tenant leases.

SECTION 2: 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 or phrase thereof, irrespective of the fact that one or more sections subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

SECTION 3: 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 _____, 2012, by the following vote

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

G.1.10

***City of Brisbane
Environmental Initial Study***

Project title:

Baylands General Plan Amendment/Zoning Text Amendment (GPA-1-11/RZ-9-11) to Allow Relocation and Expansion of Existing Uses within the Baylands Subarea, Commercial Mixed Use District.

Contact person/Lead agency:

Ken Johnson, Associate Planner
City of Brisbane
50 Park Place, Brisbane, CA 94005
415-508-2120, FAX 415-467-5547
kjohnson@ci.brisbane.ca.us

Project location:

The Baylands Subarea/C-1 Zoning District includes approximately 548-acres within the City of Brisbane, in San Mateo County, California. It is east of US 101, west of Bayshore Boulevard, south of Sunset Scavenger waste collection/recycling center and San Francisco City limits, and north of the Brisbane Lagoon.

The area includes the following Assessor's Parcel Numbers (APN's): 005-151-010, -020, 005-152-060, -240, -250, -260, -270; 005-162-190, -200, -210, -220, -240, -260, -280, -300, -320, -330, -340, -350, -360, -370, -380, -400, -410, -430, -997, -998, -999; 005-250-020; 005-320-020; 005-340-030, -040, -050, -060, -080, -090, -100, -998, -999; 005-350-020, -050, -060, -070, -080, -999; 007-150-999; 096-010-030; and 800-021-750.

Project applicant:

Golden State Lumber
855 Lakeville St. #200
Petaluma, CA 94952

General Plan designation:

The land use designation for the Baylands, per the 1994 Brisbane General Plan, is "Planned Development-Trade Commercial". Other designations within the Baylands include Lagoon and Bayfront, but these areas are not to be included in the proposed amendment.

Zoning:

The Zoning is C-1 Commercial Mixed Use.

Project description:

The applicant requests a general plan amendment and zoning text amendment. The request is to amend policy 329.1 of the 1994 General Plan which requires that the City "Adopt one or more

specific plans and accompanying environmental impact reports prior to any development of the subarea”, instead to allow for the relocation/expansion of existing uses within the Baylands Trade Commercial Subarea without the preparation of a specific plan. The request is to also amend the zoning text, Brisbane Municipal Code Section 17.13.040 to allow for the relocation/expansion of existing uses without the preparation of a specific plan.

Note that no specific project or project location is included as part of this application. All uses within the Baylands subarea are subject to discretionary review, via conditional use permit, and future applications for relocation or expansion of uses would be evaluated on a case-by-case basis for compliance with applicable laws, including review under the requirements of California Environmental Quality Act (CEQA) to the extent that CEQA may apply to any future application.

Surrounding land uses and setting:

The Baylands Subarea is largely undeveloped and is divided east and west by the CalTrain rail line that runs north-south through the site. The majority of the Subarea area consists of artificial fill that was placed in the marshlands and tidal flats at the mouth of Visitation Valley beginning about 125 years ago. The area that makes up the eastern side of the subarea (east of CalTrain) is a former solid waste disposal area and landfilling operations ceased over 40 years ago. A soil cover of 20 to 30 feet has been placed over much of the area and soil recycling operations are ongoing. The area that comprises the western part of the subarea was a Southern Pacific Railroad switching yard until 1988. This area is generally level and vacant except for several remaining buildings from the railroad era.

Existing development within the eastern area includes two building supply businesses (Sierra Lumber and Van Arsdale-Harris) that are located along Tunnel Avenue. Kinder Morgan Energy Partners owns a fuel tank farm on 23.5 acres towards the south end of the subarea, also along Tunnel Avenue. Existing development in the western area includes a firewood charcoal production facility. The CalTrain Bayshore station is located at the north end of the subarea.

As indicated above, US 101 is located along the eastern edge of the subarea, and beyond that is Bayfront. Heavy Commercial Uses are located to the north of the subarea, including Sunset Scavenger waste collection and recycling center, also the former site of Schlage Lock facility (now planned for housing), and the Bayshore Caltrain Station. The western edge of the subarea is primarily bordered by Bayshore Boulevard, with the exception of the Northwest Bayshore M-1 Manufacturing District, which borders along a portion of the western edge. Beyond Bayshore Boulevard to the west is a mixed use area of Daly City, PG&E substation and trade commercial and office development in the Northwest Bayshore and Crocker Park subareas.

Other public agencies whose approval is required:

None.

Other environmental reviews referenced herein:

Environmental Impact Report for the City of Brisbane General Plan Update (certified by the City Council on June 21, 1994)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation which reflects the independent judgment of the Community Development Department:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project (see attached). A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____



Date: _____

2/16/12

Ken Johnson, Associate Planner, Community Development Department, City of Brisbane

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS: Would the project:

- a) Have a substantial adverse effect on a scenic vista?

The proposal is to change General Plan policy and zoning text. There is no project proposed or specific project location. It is therefore speculative to assess the physical impacts that might ultimately result from this change in land use regulation. Any subsequent project proposed pursuant to the land use regulation will be subject to project and site specific environmental analysis.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No specific scenic resources have been designated per General Plan Program 19a. The nearest State Scenic Highway is Interstate 280, which is on the opposite side of San Bruno Mountain from the site.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

See response under Issue I.a.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

See response under Issue I.a.

II. AGRICULTURE AND FOREST RESOURCES: Would the project:

- a) Convert farmland to non-agricultural use or otherwise impact agricultural operations?

The Baylands Subarea does not contain agricultural uses or state-designated farmland.

- b) Result in the loss of forest land or conversion of forest land to non-forest use?

The Baylands Subarea does not contain forest land.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY: Would the project:

a) Conflict with the Bay Area Clean Air Plan?

See response under Issue I.a.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

See response under Issue I.a.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?

See response under Issue I.a.

d) Expose sensitive receptors to substantial pollutant concentrations?

See response under Issue I.a.

e) Create objectionable odors affecting a substantial number of people?

See response under Issue I.a.

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

See response under Issue I.a.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Conflict with the City of Brisbane Tree Regulations protecting biological resources?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Conflict with the provisions of the San Bruno Mountain Area Habitat Conservation Plan?</p> <p>The area is outside the area of the San Bruno Mountain Area Habitat Conservation Plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES: Would the project:

<p>a) Cause a substantial adverse change in the significance of a historical resource?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b.) Cause a substantial adverse change in the significance of an archaeological resource? There are no prehistoric archeological resources in the Baylands subarea, since the landform was created by artificial fill in historic times.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impact a unique paleontological resource or site? There are no known unique paleontological resources in the subarea.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? No impacts from the disturbance of human remains would be anticipated by any project within the subarea.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The area is located outside of the Alquist-Priolo Seismic Special Studies Zone boundaries (Brisbane General Plan Technical Studies, page II-15).

ii) Strong seismic ground shaking? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iii) Seismic-related ground failure, including liquefaction? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>iv) Seismic-related landslides? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Be located on expansive soil as defined in the Uniform Building Code? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS: Would the project:				
<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) For a project located within an airport land use plan or within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p> <p>The subarea does not lie within an airport influence area.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?</p> <p>The site is not within an area at risk from wildland fires.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Substantially degrade water quality and/or violate any water quality standards or waste discharge requirements? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies, adversely impact groundwater quality, or interfere substantially with groundwater recharge? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter the existing drainage pattern of the site or area in a manner which would result in substantial on- or off-site erosion or siltation? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Alter the existing drainage pattern of the site or area, or substantially increase the rate or amount of surface runoff, in a manner which would result in on- or off-site flooding? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? See response under Issue I.a.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? The proposal would not allow for housing, which is currently prohibited on the Baylands.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>i) Expose people or structures to a significant risk of loss, injury or death involving flooding?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>j) Inundation by seiche, tsunami, or mudflow?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. LAND USE AND PLANNING: Would the project:

<p>a) Physically divide an established community?</p> <p>The subarea is generally isolated and disconnected from most residential and commercial areas of Brisbane, as well as Daly City and San Francisco to the north and northwest.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with the General Plan or other applicable City land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p>The proposal includes amendment of General Plan Policy 329.1 which currently requires preparation of a specific plan prior to any development of the subarea.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with any applicable regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p>The proposal includes amendment of the Brisbane Municipal Code Section 17.13.040 to allow for relocation and expansion of existing uses without the preparation of a Specific Plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Conflict with the San Bruno Mountain Area Habitat Conservation Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The subarea is outside the boundaries of the San Bruno Mountain Area Habitat Conservation Plan.

XI. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be either locally important or of value to residents of the state and region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No state or locally important designated mineral resources occur within this Subarea.

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the General Plan and/or noise ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

b) Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

d) For a project located within an airport land use plan or in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subarea does not lie within an airport influence area.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly or indirectly?

The proposal would not allow for new housing within the subarea.

b) Displace substantial numbers of existing housing units or persons, necessitating the construction of replacement housing?

No housing exists within the subarea..

XIV. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the following:

a) Fire protection?
See response under Issue I.a.

b) Police protection?
See response under Issue I.a.

c) Schools?
See response under Issue I.a.

d) Parks?
See response under Issue I.a.

e) Other public facilities?
See response under Issue I.a.

XV. RECREATION: Does the project:

a) Increase the demand for existing parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

See response under Issue I.a.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See response under Issue I.a.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the City or county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See response under Issue I.a.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

d) Have insufficient water supplies available to serve the project from existing entitlements and resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

e) Result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the project's projected demand in addition to its existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response under Issue I.a.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and comply with federal, state, and local statutes and regulations related to solid waste?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Create a demand for energy that exceeds regional or local capacity, either on a peak or cumulative basis?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h) Comply with adopted resource efficiency standards?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> <p>See response under Issue I.a.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Given the limited number of businesses that could be relocated or expanded within the Baylands subarea it is not reasonable to expect that cumulative impacts would be considerable.

ISSUE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See response under Issue I.a.

Recommendation

- That the project will not have a significant effect on the environment and a Negative Declaration should be adopted by the City Council. The proposed Negative Declaration reflects the independent judgement of the City of Brisbane.
- It has been found that the project may have a significant effect on the environment and an Environmental Impact Report should be required. The EIR shall address the following topics: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, Utilities, and Mandatory Findings of Significance.
- There is no evidence before the agency that the proposed project will have any potential for adverse effect on wildlife resources, and the impacts of the project will have a no effect determination, pursuant to section 711.4 of the Fish and Game code.

Signature  Date 2/16/12

Case Number: GPA-1-11/RZ-9-11

Draft Zoning Ordinance Redlined

Chapter 17.13 - C-1 **BAYLANDS** COMMERCIAL MIXED-USE DISTRICT

Sections:

17.13.010 - Purpose.

17.13.020 - Permitted uses.

17.13.030 - Conditional uses.

17.13.035 - Expressly prohibited use.

17.13.040 - Development regulations.

17.13.040 - Development standards.

17.13.010 - Purpose.

A. To provide a suitable environment for the development of tax revenue-producing commercial enterprise and to encourage the orderly development of the area so that opportunities are present to establish a mix of uses that support, enhance and otherwise encourage the success of the district. There shall be no fabrication, manufacture, processing or treatment of materials in this district other than that which is clearly incidental to a business where all products therefrom are sold on the premises;

B. To establish procedures to integrate commercial mixed-uses and structures that produce an attractive and safe environment which are superior to those which would result from standard district regulations.

17.13.020 - Permitted uses.

The following uses are permitted in the C-1 district:

A. No uses are permitted without first obtaining a conditional use permit.

17.13.030 - Conditional uses.

Conditional uses allowed in the C-1 district, subject to obtaining a use permit as set forth in Chapter 17.40, are as follows:

- A. Retail sales;
- B. Offices;
- C. Residential uses
- D. Bulk sales;
- E. Open space
- F. Recreational facilities;
- G. Statuary;
- H. Public and quasi-public facilities, service and utility uses;
- I. Commercial services;
- J. Hotels;
- K. Research and development
- L. Educational institutions.

17.13.035 - Expressly prohibited use.

Commercial parking lots, as defined in Chapter 17.02, are declared to be expressly prohibited in the C-1 district.

17.13.040 - Development regulations.

A. Prior to establishment of a use and/or construction of a building, pursuant to Section 17.30.030, a specific plan shall be adopted by the City of Brisbane, pursuant to the provisions of California Government Code Section 65451 and 65452. No building, structure or land shall be used and no building or structure shall be erected, enlarged or structurally altered except for the uses established in Section 17.13.030, and then only after a specific plan has been prepared. Development and design standards and regulations for the C-1 district shall be established in a specific plan adopted by resolution of the city council for the parcels proposed for development. The specific plan shall meet the requirements of the California Government Code Sections 65451 and 65452. To the extent standards in the specific plan are inconsistent with other zoning regulations, the standards in the specific plan shall prevail.

B. Exceptions: The following are permitted prior to adoption of a specific plan pursuant to Section 17.13.040.A:

1. Interim Uses: Interim uses as set forth in Chapter 17.41.

2. Existing Uses: Expansion and/or relocation of uses legally established prior to 1991 shall be subject to the granting of a use permit in accordance with the provisions of Chapter 17.40 and a design permit in accordance with the provisions of Chapter 17.42.

a. Required Findings: In considering an application for expansion and/or relocation of uses, in addition to the provisions of Chapters 17.40 and 17.42, the planning commission shall consider and give due regard to make the following findings:

1. The proposed use will not obstruct, interfere with, or delay the intended redevelopment of the larger Baylands subarea in accordance with the General Plan;

2. The use will provide either or both of the following benefits:

i. A benefit to the property, including, but not limited to, the elimination of blight or unsightly or hazardous conditions, or will facilitate the redevelopment of the Baylands, or

ii. A benefit to the public, such as the creation of jobs or revenues or the provision of needed goods or services.

17.13.045 - Development Standards:

A. Specific Plan. Development and design standards shall be established in a specific plan adopted by resolution of the city council for the parcels proposed for development, pursuant to Section 17.13.040.A.

B. Interim Uses. Development standards for uses subject to the provisions of Section 17.13.040.B.1 shall be established by the interim use permit process.

C. Expansion/Relocation of Existing Uses. Development standards for uses subject to the provisions of Section 17.13.040.B.2 shall be established by the use permit process. They shall also reflect consistency between the site and plans under consideration for the larger subarea and shall be consistent with the General Plan.

~~A.~~

DB. Recycling Area Requirements. The following recycling area requirements shall apply to all development in the subarea:

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

2. This requirement shall apply to all new commercial, industrial, or 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 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 applications for one or more building permits for a single or multiple alterations 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.



CITY OF BRISBANE
PLANNING APPLICATION
 PLEASE TYPE OR PRINT CLEARLY

GPA-1-11
 RZ-9-11
 FILE NUMBER: _____
 DATE RECEIVED: 12/15/11
 FEE: 2725
 RECEIPT NO.: 7930

- | | | |
|--|--|--|
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Environmental Review | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Specific Plan |
| <input type="checkbox"/> Exception | <input type="checkbox"/> Final Map | <input checked="" type="checkbox"/> Zoning Amendment |
| <input type="checkbox"/> Sign Review | <input type="checkbox"/> Certificate of Compliance | <input checked="" type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Design Permit | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> _____ |

Project Address: Tunnel Ave. Assessor's Parcel Number: _____
 Zoning District: C-1 Commercial Mixed-Use District Habitat Conservation Plan: Yes/No Flood Zone: Yes/No

Requested Action: _____
General Plan Amendment: To amend policy 329.1 of the General plan to allow for the relocation/expansion of existing uses within the Baylands Trade Commercial Subarea without the preparation of a specific plan.
Zoning Amendment: To amend Brisbane Municipal Code Section 17.13.040 to allow for the relocation/expansion of existing uses without the preparation of a Specific Plan

Applicant Name: Golden State Lumber (Seth Nobmann Chris Scerri) Phone: 707-206-4043
 Address: 855 Lakeville st #200 Fax: 707-206-4053
 City: Petaluma State: CA Zip: 94952
 seth@absconstruct.com ; chris@absconstruct.com

Property Owner Name: Brisbane Properties LLC (Seth Nobmann Jessica Scerri) Phone: 707-206-4043
 Address: 855 Lakeville st #200 Fax: 707-206-4053
 City: Petaluma State: CA Zip: 94952

I hereby certify that I am the Owner of Record of the subject property and that I approve of the action requested herein.
 Signature of Owner: Date: 12-12-11

To be notified of staff recommendations, public meetings/hearings and actions taken, the proper persons should be listed as Applicant and Owner (Planning Commission agendas are also posted on the City's website at www.ci.brisbane.ca.us under "City Administration"). Please notify the City of any changes of ownership or address.
The Applicant is requested to attend all public meetings/hearings for the application.

Please refer to the appropriate Application Checklist for the complete application submittal requirements, which are available at Brisbane City Hall, 50 Park Place, Brisbane, CA 94005 (415-508-2120).