

BRISBANE PLANNING COMMISSION
Action Minutes of January 24, 2013
Regular Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Cunningham, Do, Parker, and Reinhardt
Absent: Chairman Munir
Staff Present: Community Development Director Swiecki, City Attorney Toppel and
Senior Planner Johnson

ADOPTION OF AGENDA

Commissioner Do moved and Commissioner Cunningham seconded to adopt the agenda.
The motion carried 4-0.

APPROVAL OF DRAFT ACTION MINUTES

Commissioner Cunningham moved and Commissioner Do seconded to approve the draft
action minutes of September 27, 2012. The motion carried 4-0.

ORAL COMMUNICATIONS

Michelle Salmon spoke regarding light pollution from Mission Blue field and Crocker
Park. In answer to Ms. Salmon's and follow-up questions from the Commission,
Director Swiecki indicated that the question of lighting of Mission Blue field can be
forwarded to the Parks & Recreation Department and reported back to the Commission.
City Attorney Toppel indicated that we would not need an ordinance to regulate our own
lighting and that question could be posed to the City Engineer and Police Department.
Also, if the private lighting was to be addressed through an ordinance, this would be a
City Council matter.

WRITTEN COMMUNICATIONS

Acting Chairperson Parker acknowledged communications not related to items on the
agenda.

ITEMS INITIATED BY STAFF

Introduction of Margaret Sohagi, J.D., of Sohagi Law Group, Outside Counsel to the City on the Baylands.

Director Swiecki introduced Margaret Sohagi to the Commission, who has worked with the City over the past several years as a CEQA attorney on the Baylands, on an as needed basis. Ms. Sohagi provided a brief outline of her background, including her roles as an attorney to Cities and not to private entities, as a trainer to other attorneys and judges on CEQA and specifically as Brisbane's CEQA attorney on the Baylands. She then answered questions raised by the Commission regarding the EIR process.

NEW BUSINESS

1. **Zoning Text Amendment RZ-1-13** to Amend Brisbane Municipal Code Title 17: Chapter 17.32.220, "Grading Permit- When Required" to clarify the circumstances under which grading permits are subject to Planning Commission review and to establish review criteria upon which the Planning Commission will evaluate grading permit applications; Applicant, City of Brisbane.

City Attorney Toppel presented the agenda report and highlighted those aspects of the ordinance that pertain to the Planning Commission.

Acting Chairperson Parker opened the public hearing. Brisbane resident, Dana Dilworth spoke in opposition to the ordinance. Ken McIntyre, Executive Director of San Bruno Mountain Watch, spoke to clarify their role in the proposed grading ordinance revisions and indicated that he felt that the draft ordinance was written in a way that was responsive to their most pressing concerns. Brisbane resident, Michelle Salmon, spoke in opposition to the ordinance.

The Commission discussed and raised a number of questions regarding draft ordinance. These questions focused on the definitions in the draft ordinance and the level of oversight of grading projects and the 250 cubic yard volume threshold Planning Commission review of a grading permit, versus the 5 cubic yard threshold for a grading permit required by the City Engineer. The Commission suggested that the 250 cubic yard threshold might be lowered. The Commission asked staff for clarification in the next meeting on the definition of clearing and grubbing and on the applicability of the ordinance in different geographic areas of the City. The Commission continued the application to the regular meeting of February 14th.

ITEMS INITIATED BY THE COMMISSION

Commissioner Reinhardt updated the Commission on the Sustainability Committee's next scheduled meeting.

ADJOURNMENT

There being no further business, the Commission adjourned to the meeting of February 14, 2013. The meeting adjourned at 9:24 p.m.

Attest:

John Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on DVD at City Hall and the City's website at www.brisbaneca.org.