

Brisbane Baylands

Planning Commission Workshop #2

September 24, 2015

Brisbane Baylands

Final EIR

Contents of the Final EIR

- Draft EIR
- Final EIR
 - Introduction (Chapter 1)
 - Responses to Comments (Chapter 2)
 - Revisions to the Draft EIR (Chapter 3)
 - Mitigation Monitoring and Reporting Program (Chapter 4)
 - Comments received on the Draft EIR (Chapter 5)

Draft EIR

- Circulated for public review and comment
 - June 11, 2013 to January 24, 2014
 - Public public hearings on October 22, 24, and 29, 2013
- Addresses:
 - General Plan Amendment
 - Concept Plan Scenarios
 - Applicant-Proposed Specific Plan
 - Site Remediation and Title 27 Landfill Closure
 - Proposed Water Supply Agreement

Draft EIR CEQA Conclusions

Significant Unavoidable Impacts

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Noise and Vibration
- Population and Housing
- Traffic and Circulation
- Utilities, Service Systems, and Water Supply

Significant but Mitigable Impacts

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity
- Hazards and Hazardous Materials
- Surface Water Hydrology and Water Quality
- Land Use and Planning Policy
- Noise and Vibration
- Traffic and Circulation
- Utilities, Service Systems, and Water Supply
- Energy Resources

Alternative Scenarios from the Baylands EIR

- No Project – No Build
 - Existing conditions continue into the future
 - 632,900 s.f. Non-Residential
- No Project – General Plan Buildout
 - Buildout occurs based on existing General Plan
 - 1.0 to 4.2 million s.f. Non-Residential
- Renewable Energy Generation (Environmentally Superior Alternative)
 - 1.98 million s.f. Non-residential
 - 170 acres renewable energy generation (solar, wind)
- Reduced Intensity Mixed Use
 - 2,400 dwelling units
 - 6.1 million s.f. Non-Residential
- Reduced Intensity Non-Residential
 - 5.32 million s.f. Non-Residential

Draft EIR Comments and Responses to Comments

- 54 Comment letters received
 - 2,200 individual comments
- Public hearings for input on the Draft EIR
 - Held on October 22, 24, and 29, 2013
 - 7 Speakers provided 79 individual comments
- Responses to each comment are provided as:
 - Master Responses (35)
 - Responses to specific comments
 - Reference to a Master Response or another response to a specific comment

Revisions to the Draft EIR

Clarify text and graphics in response to Draft EIR comments

1. Introduction
2. Executive Summary
3. Project Description
4. Environmental Settings, Impacts and Mitigation Measures
 - No revisions proposed to Public Services
5. Alternatives
6. Impact Overview, Growth Inducement, Cumulative
7. Sustainability

Mitigation Monitoring and Reporting Program

- Required by CEQA to ensure implementation of mitigation measures
- Sets forth a process for requiring and monitoring implementation of mitigation measures
- For each mitigation measure, identifies:
 - Significant impact being mitigated
 - Party responsible for implementation
 - Party responsible for enforcement
 - Monitoring frequency
 - Actions indicating compliance

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Planning Documents being Prepared

Economic Studies

- Fiscal Impact Study
 - Addresses costs and revenues to the City of Brisbane
- Feasibility Analysis
 - Addresses costs associated with site development

Brisbane Baylands Sustainability Framework

- Purpose
 - Aspirational, not regulatory or used in CEQA analysis
 - Identify key sustainability principles to be addressed
 - Creates an approach to implement these principles
- Organization
 - Based on One Planet Living Principles
 - Key Performance Indicators
 - Implementation Approach
- Status
 - June 15 draft reviewed by City Council
 - In process of being finalized

Brisbane Baylands Sustainability Framework

One Planet Living Principles

- Zero Carbon Buildings
- Zero Waste
- Sustainable Transportation -- Using low carbon modes of transport
- Local and Sustainable Materials
- Local and Sustainable Food
- Sustainable Water – Efficient use, addressing local flooding, wetlands, and stormwater pollution
- Open Space & Habitat -- Protect and restore biodiversity & natural habitats
- Culture and Heritage
- Economic Vitality with Equity and Ecology -- Ecologically-based economies that support equity and inclusive communities
- Health, Safety and Happiness – Promoting promote good health and well-being

Community Opinion Survey

- Addresses wide range of community opinions regarding future use and development of the Baylands
- Survey released to residents on August 25
- Survey forms to be returned by September 12
- Results available October

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**Options for Planning Commission
Recommendation to the City Council**

CEQA/Planning Relationship

- Before the City Council approves a project it must :
 - Find that the EIR complies with CEQA
 - Find that the EIR reflects the City's independent judgement
 - Review and consider the Final EIR before taking action
- No EIR findings are required to deny a project

Potential Recommendations to the City Council

- Recommend **Approval** of Applicant's Proposed General Plan Amendment and Specific Plan
 - As proposed or with minor revisions
 - Requires recommendation to certify EIR
- Recommend **Major Modifications** to Applicant's Proposed General Plan Amendment and Specific Plan
 - Identify *types* of recommended revisions rather than specific wording or land use mapping
 - Requires recommendation to either:
 - Certify EIR
 - Delay certification of EIR until major revisions are completed and ready for review

Potential Recommendations to the City Council

- Recommend **Denial** of Applicant's Proposed General Plan Amendment and Specific Plan
 - No additional land use policy (continue existing General Plan revisions)
 - Would not require recommendation to certify the EIR

Potential Recommendations to the City Council

- Recommend **Denial** of Applicant's Proposed General Plan Amendment and Specific Plan with additional land use guidance
 - Based upon concept plan or alternative evaluated in the Final EIR
 - Hybrid plan incorporating elements from one or more concept plans and/or alternatives
 - New concept based upon public hearings/deliberations
 - Provide general land use recommendations (e.g., mix/distribution/intensity of land use and policies) rather than a formal plan
 - CEQA requirement would depend on actual recommendation

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Planning Commission's Role

The Planning Commission

- Must act in the “public interest”
- All meetings and deliberations must be open and public (Government Code § 54950 et seq.)

The Planning Commission's Duties and Responsibilities

- Advise City Council on land use and related policy matters
- Hold public hearings and make recommendations to City Council in regard to the General Plan, specific plans and zoning regulations (Gov. Code §§ 65353, 65354, 65854, 65855)
- Take action on land use development applications including use permits, design permits, variances and subdivision applications
- Assist City Council as requested on special projects, studies and reports

Duties and Responsibilities: The Baylands

- Act in an advisory capacity to the City Council
- Hold series of public hearings on the Final EIR and proposed Baylands development
- Review and consider the Final EIR, the development proposals and options for the site, staff reports, recommendations and presentations, public testimony, written submittals, and other evidence presented during the hearing process
- Make a recommendation to the City Council

The Public Hearing Process: Tips for Effective Meetings

- Conduct meeting in a professional manner, demonstrating that the Commission takes its job seriously
- Treat other commissioners, members of the public, and staff with respect
- Come well prepared to address the issues to be discussed and considered at the hearing
- Weigh in on project and express views/opinions only after hearing and considering all of the public comments and testimony and evidence submitted

Role of the Commission Chair

- Facilitator of the meeting: “sets the tone.”
- Open hearing with review of meeting procedures, rules and time limits as applicable;
- Require all speakers to approach the podium and speak into the microphone
- Place reasonable time limits on testimony and request that testimony not be repeated
- Require questions from the public to be answered by staff at the direction of and through the Chair

Role of the Chair (cont.)

- As needed ensure that all speakers are treated respectfully and the meeting proceeds without interruption
- Ask staff for necessary information and clarification
- Close the public hearing to testimony prior to deliberations
- Lead deliberations