

## CITY OF BRISBANE

### ACCESSIBILITY IMPROVEMENT PERMIT APPLICATION INFORMATION

**SUBMITTAL REQUIREMENTS.** For the Planning Commission to thoroughly review a proposal, certain information is required from you, the applicant. You should be aware that incomplete applications will not be placed on the Planning Commission agenda.

- APPLICATION AND FEE -- A completed planning application and filing fee. Refer to Line P60 of the Master Fee Schedule. Note: Planning fees are non-refundable.
- SITE PLANS & ARCHITECTURAL PLANS-- Two (2) full-size legible copies and one (1) reduced, legible and reproducible copy (11" X 17") of development plans prepared in accordance with the attached plan preparation guidelines, including:
  - Site Plan
  - Floor Plans
  - Exterior Elevations:

Note: Plans submitted as part of an application are retained by the City of Brisbane.

- SUPPORTING STATEMENTS – Completed “Supporting Statements” form, attached.
- PHOTOGRAPHS -- Pictures of the site and surrounding area. A list with the file name, date the photo was taken, the photographer, brief description, and diagram or site plan showing the point and direction for each photograph taken must accompany all photos. Pictures may be submitted digitally in the following formats: JPEG, BMP, or TIF.

**CODE REFERENCES.** Please refer to Brisbane Municipal Code §[17.32.060](#) for the circumstances under which an Accessibility Improvement may be granted for exceptions to the height limit. For setback exceptions, refer to BMC §[17.32.070.A.1.\(f.\)](#). For any other modification to zoning regulations, refer to BMC §[17.32.080](#).

**NOTIFICATION OF MEETINGS AND HEARINGS.** Applicants must attend all hearings to present their case and respond to any questions or comments. The project planner will notify you of the date of the Zoning Administrator hearing via the notice of public hearing, and will provide the meeting agenda and a copy of the agenda report at least 72 hours before the scheduled hearing. Please contact the project planner if you have not received a copy prior to the meeting.

**NOTIFICATION OF ACTION.** The project planner will notify you by mail to confirm the action taken. Contact the project planner if you do not receive such notification.

**APPEALS.** Anyone may appeal the action of the Zoning Administrator to the City Council not later than 15 calendar days after the Zoning Administrator's action. An application form and fee (see Line P47 in the current Master Fee Schedule) is required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY  
DEVELOPMENT DEPARTMENT

CITY OF BRISBANE, 50 PARK LANE, BRISBANE, CA 94005, (415) 508-2120.

Community Development Department Hours:  
8 A.M - 5 P.M. Mondays, Tuesdays & Thursdays  
8 A.M. – 8 P.M. Wednesdays  
8 A.M. - 1 P.M. Fridays

Please call ahead to make an appointment.



**SUPPORTING STATEMENTS**

In order to grant an exception to the height limit, setbacks, or any other zoning regulation for an accessibility improvement, the Zoning Administrator must affirmatively make the below findings:

- (1) The exception is necessary to meet special needs for accessibility of a person having a disability which impairs his or her ability to access the property.
- (2) Visual impacts of the accessibility improvements exceeding the height limit will be minimized.
- (3) The accessibility improvements will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.
- (4) The accessibility improvements will be constructed in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.

Is the exception necessary to meet special needs for accessibility?

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How will the visual impacts of the accessibility improvement be minimized?

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How will any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare be avoided?

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ACCESSIBILITY IMPROVEMENT PERMIT  
Supporting Statements

How will the accessibility improvements be constructed to comply with the building and fire codes?

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## **BRISBANE MUNICIPAL CODE EXCERPTS**

### **§17.32.060 Exceptions – Height Limit**

D. Exceptions to the height limit to accommodate accessibility improvements (such as elevators and wheelchair van garage spaces) may be allowed upon the granting of an accessibility improvement permit by the zoning administrator, following the conduct of a hearing with ten (10) days notice thereof being given to property owners and occupants on both sides of, to the rear of and directly across the street from the site. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:

1. The exception is necessary to meet special needs for accessibility of a person having a disability which impairs his or her ability to access the property.
2. Visual impacts of the accessibility improvements exceeding the height limit will be minimized.
3. The accessibility improvements will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.
4. The accessibility improvements will be constructed in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.

### **§17.32.070 Exceptions – Setback requirements**

A. Notwithstanding any other provision of this title, certain structures or portions thereof may extend into a front, rear or side setback area to the extent permitted by the following chart:

1. Projections from a Building.
  - f. Accessibility Improvements (Such as Ramps, Elevators, and Lifts).

All Setback Areas. Accessibility improvements, such as ramps, elevators and lifts, may be allowed within any front, rear or side area setback upon the granting of an accessibility improvement permit by the zoning administrator, following the conduct of a hearing with ten (10) days' notice thereof being given to the owners of all adjacent properties. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:

- i. The exception is necessary to meet special needs for accessibility of a person having a physical handicap which impairs his or her ability to access the property and cannot be addressed through the standard exceptions to the setback area requirements under this Section 17.32.070.

ACCESSIBILITY IMPROVEMENT PERMIT  
Municipal Code Excerpts

- ii. Visual impacts of the accessibility improvements located within a setback area have been minimized.
- iii. The accessibility improvements will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.
- iv. The accessibility improvements will be constructed in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.

**§17.32.080 - Requests for reasonable accommodations.**

Modifications or exceptions to the regulations set forth in Title 17 may be requested as reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities, if the accommodation would not impose an undue financial or administrative burden upon the city and would not require a fundamental alteration in the nature of the applicable regulation. Such requests may be granted by the zoning administrator through application for an accessibility improvement permit, following the conduct of a hearing with ten (10) days' notice thereof being given to property owners and occupants on both sides of, to the rear of and directly across the street from the site. The zoning administrator may issue the accessibility improvement permit if he or she finds and determines that:

- A. The accommodation is necessary to meet special needs for a person having a disability and cannot be addressed through the exceptions under Sections 17.32.060 and 17.32.070.
- B. Any visual impacts of the accommodation will be minimized.
- C. The accommodation will not create any significant adverse impacts upon adjacent properties in terms of loss of privacy, noise or glare.
- D. Any construction resulting from the accommodation will be done in a sound and workmanlike manner, in compliance with all applicable provisions of the building and fire codes.