

## CITY OF BRISBANE

### APPLICATION INFORMATION for MODIFICATION OF SUBDIVISION PROVISIONS

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 agendas.

- [ ] SIGNATURE OF THE LEGAL OWNER OF THE PROPERTY either on the application or on a separate written document authorizing the "APPLICANT" to submit the application on the owner's behalf. You may designate as "APPLICANT" the person most knowledgeable about the proposal who can be reached by phone during daytime working hours.
  
- [ ] SITE PLANS--Two (2) full-size legible copies and one (1) reduced, legible and reproducible copy (8 1/2" X 11" or 11" X 17") of completely dimensioned, scaled site plans, with bar scale, showing:
  - [ ] Existing and/or proposed structures;
  - [ ] Accurately dimensioned property lines, adjacent properties, streets, easements, and a small scaled vicinity map;
  - [ ] Topography of the property, with changes in slope shown at 5 ft. intervals. A proposed tentative parcel or subdivision map which includes the above information may be submitted to meet this requirement. Note: Plans submitted as part of an application are retained by the City of Brisbane.
  
- [ ] SUPPORTING STATEMENTS---See below.
  
- [ ] PHOTOGRAPHS of the subject location and its surroundings to clarify your proposal.
  
- [ ] FEES—See Line P40 in the current Master Fee Schedule. Please make a check or money order payable to the "City of Brisbane". In some instances, an additional Environmental Determination fee (Line P49) may also be required. Note: Planning fees are non-refundable.

CODE REFERENCES. Please refer to Brisbane Municipal Code Chapter 16.36.

NOTIFICATION OF MEETINGS AND HEARINGS. You will receive confirmation of the date of the Public Hearing by mail along with an Agenda and a copy of the Staff Memorandum. Copies of the Agenda and Staff Memorandum are also available at the Planning Department before noon on the Friday before the scheduled hearing. Please contact the Planning Department if you have not received a copy prior to the meeting.

NOTIFICATION OF ACTION. You will be notified by mail within one week following the hearing of the action taken. Please contact the Planning Department if you do not receive such notification.

APPEALS. Anyone may appeal the action of the Planning Commission to the City Council not later than 10 calendar days after the Commission's action. An application form and fee (Line P47 of the current Master Fee Schedule) are required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE PLANNING DEPARTMENT, CITY OF BRISBANE, 50 PARK PLACE, BRISBANE, CA 94005, (415) 508-2120. THE PLANNING DEPARTMENT IS OPEN 8 A.M. THROUGH 5 P.M. MONDAY THROUGH THURSDAY (UNTIL 8 .M. WEDNESDAY) AND 8 A.M. THROUGH 1 P.M. FRIDAY. TO ASSURE SOMEONE WILL BE AVAILABLE TO HELP YOU, YOU MAY CALL AHEAD TO MAKE AN APPOINTMENT.

**SUPPORTING STATEMENTS**

Please refer to Brisbane Municipal Code Section 16.36.010.

What special circumstances, such as size, shape, title limitations of record, or topographical location or conditions of the property, apply to your site?

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How do these special circumstances make it impossible, impractical or undesirable to fully conform to the regulations?

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## Chapter 16.36 - MODIFICATIONS

### 16.36.010 - Modification of provisions of this title.

Whenever real property located in any subdivision is of such size or shape, or is subject to such title limitations of record, or is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider to fully conform to the regulations set forth in this title, the planning commission may permit such modification thereof as may be reasonably necessary if such modifications conform with the spirit and purpose of this title.

(Ord. 282 § 9.1, 1982).

### 16.36.020 - Application for modification.

Whenever the subdivider desires to modify any of the provisions of this title pursuant to the provisions of this chapter, he shall file an application with the planning department in a form to be prescribed by such department. Such application shall set forth in detail the requested modification and a general sketch of the proposed tentative map or tentative parcel map as proposed to be modified.

(Ord. 282 § 9.2, 1982).

### 16.36.030 - Referral of proposed modification to proper department.

Each proposed modification shall be reviewed by the departments having jurisdiction over the regulations involved and each such department shall transmit to the planning commission its written recommendation, which shall be reviewed prior to the granting of any modification.

(Ord. 282 § 9.3, 1982).

### 16.36.040 - Modification by the commission.

The planning commission may approve modification from the provisions of this chapter if it finds such modification to be warranted. The commission may make its approval subject to appropriate conditions.

(Ord. 282 § 9.4, 1982).

### 16.36.050 - Time of filing of application.

An application for modification pursuant to this chapter shall be filed after completion of the review period established for the various city departments, public utilities, and other public agencies pursuant to Sections 16.16.120 and 16.16.130. Such application shall be filed prior to the filing of the tentative map or tentative parcel map pursuant to this title.

(Ord. 282 § 9.5, 1982).

### 16.36.060 - Report of modification to council or city engineer.

In the event that any modification is approved, a written statement of such modification shall be transmitted to the city council, at the time of approval of a final map, or the city engineer, in the case of approval of a final parcel map.

(Ord. 282 § 9.6, 1982).

16.36.070 - Duration of validity of actions.

The action of the planning commission in granting a modification shall be within the life of the tentative map or tentative parcel map approval. If a final map or final parcel map is filed within such period of time, it may contain such modifications from the provisions of this title as have been permitted pursuant to this chapter. Except as modified in this chapter all subdivision maps shall comply with all of the provisions of this title.

(Ord. 282 § 9.7, 1982).