

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of September 26, 2019

SUBJECT: Case GP-1-19; Proposed amendments to the General Plan to implement voter-approved Measure JJ (Case GP-1-18) related to the Brisbane Baylands; including Baylands and Beatty General Plan Subareas and Bayshore Blvd.. Applicant; City of Brisbane

REQUEST: That the Planning Commission recommend approval of GP-1-19 amending the General Plan to implement Case GP-1-18 as approved by Brisbane voters in November, 2018 via the passage of Measure JJ. Specifically GP-1-19 involves amending the General Plan by (1) incorporating approved text and graphics from GP-1-18 into the General Plan; (2) revising general plan standards for roadway Level of Service (LOS) for purposes of internal general plan consistency; and (3) updating factual information in the General Plan that was adopted in 1994.

RECOMMENDATION: Approve Case GP-1-19 including supporting Addendum via adoption of Resolution GP-1-19 containing the required findings

ENVIRONMENTAL DETERMINATION: Because proposed revisions to the General Plan were previously described and analyzed at a programmatic level in the EIR certified for GP-1-18, no additional environmental documentation in the form of a Subsequent or Supplemental EIR is required. An addendum to the Baylands Final Program EIR (State Clearinghouse #2006022136) has been prepared pursuant to California Environmental Quality Act (CEQA) Guidelines §15162 and §15164.

BACKGROUND:

General Plan Amendment GP-1-18 was approved by the Brisbane City Council on July 19, 2018 and subsequently approved by Brisbane voters as Measure JJ in November 2018. GP-1-18 and Measure JJ permit development of 1,800 to 2,200 dwelling units and up to 6.5 million square feet of non-residential use, along with an additional 500,000 square feet of hotel use (total of 7.0 million square feet of non-residential development) within the Baylands General Plan Subarea. The full text of GPA-1-18 and related graphics are included as Exhibit 1 to this staff report.

Other provisions of Measure JJ included:

- Deleting the Northeast Bayshore subarea and incorporating this former subarea into the Baylands subarea;
- Revising the boundary between the Baylands and Beatty subareas;
- Redesignating the Baylands subarea as “Baylands Planned Development” and specifically identifying locations within the subarea where residential uses are permitted and prohibited;

- Revising the text of the Baylands Subarea land use designation;
- Requiring the preparation of a single specific plan addressing a number of policy directives set forth in pertaining to site remediation and landfill closure, incorporating sustainability measures, securing a reliable water supply, habitat restoration and preservation, flood protection and sea level rise, roundhouse restoration, fiscal protection for the City, and project phasing.

In approving GP-1-18 via adoption of Resolution 2018-62, the City Council further directed City staff to “prepare for Council’s consideration any other amendments to the General Plan or zoning ordinance as may be needed” to implement GP-1-18. Proposed GP-1-19 now under consideration was initiated per the City Council’s direction.

DISCUSSION:

To implement GP-1-18, the proposed GPA includes three basic elements which include:

- (1) Incorporating GP-1-18 and Measure JJ into the General Plan and ensuring the General Plan’s consistency with GP-1-18;
- (2) Revising roadway Level of Service (LOS) standards in limited instances within the City; and
- (3) Updating factual information in the existing General Plan, which was originally adopted in 1994.

This results in proposed revisions to Chapters II, V, VI, and XII of the Brisbane General Plan (The Planning Area, Land Use, Circulation, and Policies and Programs by Subarea, respectively). A brief discussion of the nature and location of the proposed amendments is included below.

Incorporating GP-1-18 and Measure JJ into the General Plan and ensuring the General Plan’s consistency with GP-1-18

Proposed amendments in GP Chapter V (Land Use) reflect the land use direction from GP-1-18 related to the 1,800-2,200 permitted residential units and amount of allowed non-residential developmental. Other changes in this chapter and Chapter II (Planning Area) result from elimination of the Northeast Bayshore subarea. Many of the proposed changes occur within Chapter XII (Policies and Programs by Subarea) as the policies approved under Measure JJ are incorporated into the Baylands subarea.

Revising roadway Level of Service (LOS) standards in limited instances within the City

The 1994 General Plan established Level of Service (LOS) standards for intersections within the City of Brisbane. LOS is a measure of delay, calculated as either the time delay experienced by drivers at an intersection during peak morning and afternoon travel times, or as the ratio of traffic volume to an intersection or roadway’s capacity during peak morning and afternoon travel times. LOS is assigned a letter grade on an A-F scale with ‘A’ representing free flowing traffic movement and ‘F’ representing gridlock. The General Plan establishes LOS D as the standard for arterial streets, except for the intersections of Bayshore Boulevard/Old County Road and Bayshore Boulevard/San Bruno Avenue, which have standard of LOS C.

While traffic delay is an important transportation and community issue, reliance on LOS as the sole metric for evaluating transportation has its shortcomings. From a practical perspective

increasing roadway capacity to reduce traffic congestion and improve LOS by has consistently been shown to promote or induce additional vehicle trips. Over time these higher traffic volumes increase traffic congestion and degrade LOS, thereby triggering the need for additional capacity, thereby inducing even more vehicle trips. Promoting vehicle trips by accommodating higher amounts of traffic also serves to increase transportation-related greenhouse gas (GHG) emissions. Lastly, LOS is a measure of vehicle delay which prioritizes the movement of passenger vehicles and disregards all other forms of mobility. Specifically, many of the attributes associated with achieving with ‘better’ LOS scores, such as increased road width, increased traffic volumes, and higher vehicular speeds, make other forms of mobility such as biking and walking less desirable and less safe.

There are also practical difficulties with the City’s current LOS policy. Mobility and transportation are issues with both a local and regional component. While LOS may be useful in managing delay on local streets, it is ineffective in addressing roadways which serve regional needs. The traffic study performed in conjunction with the certified Baylands Program EIR indicated that City’s LOS standards will be exceeded at some intersections along Bayshore Boulevard due to future regional background traffic growth and development in other cities, even if no new development occurs within the Baylands or elsewhere in Brisbane. Additionally, a recent traffic analysis prepared for the City illustrates the degree to which Bayshore Boulevard serves a regional purpose. This study indicates that on a daily basis only 10-15% of all trips on Bayshore are generated by Brisbane residential neighborhoods, with another 15-20% of the daily trips associated with employment centers in Brisbane. The remaining 65-75% of the daily trips along Bayshore are pass-through trips generated by development in other cities with no destination in Brisbane.

Given current circumstances, an unintended consequence of the existing LOS policy is that increasing roadway capacity on Bayshore Boulevard induces additional regional traffic. Additionally, the existing policy would preclude planned development in the Baylands and elsewhere in Brisbane as envisioned in the Land Use Element of the General Plan, and the need to modify this policy was recognized when the City Council approved GP-1-18.

As shown in the amended Circulation Element (Chapter X1), proposed revisions would:

- Create a new category of roadways, Regional Routes¹, designate Bayshore Boulevard and Geneva Avenue as Regional Arterial Routes, and set forth the rationale for distinguishing Bayshore Boulevard and Geneva Avenue from other roadways within the City.
- Replace existing LOS standards for intersections along Bayshore Boulevard with a requirement for:
 - Preparation and implementation of multi-modal mobility plans for Bayshore Boulevard and the Geneva Avenue extension providing for a combination of roadway, intersection, transit, bicycle, and pedestrian facility improvements that accommodate regional through traffic while enhancing mobility for Brisbane residents and businesses.

¹ “Regional Routes,” as used in proposed revisions to the General Plan, refers to U.S. Highway 101 (Freeway) and Bayshore Boulevard (Regional Arterial).

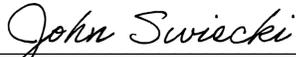
- Replace existing LOS standards at intersections with freeway offramps along U.S. Highway 101 with a new Policy addressing queuing of vehicles along freeway off-ramps and at intersections to prevent traffic on a freeway off-ramp from backing up onto the freeway mainline or traffic at an intersection from backing up into another intersection.
- Maintain the current standard of LOS D at all other intersections along principal and minor arterials (i.e., all existing arterial roadways within Brisbane other than those along Bayshore Boulevard, the Geneva Avenue extension, and at freeway interchanges).
- Reorganize Chapter VI (Circulation) and modify or add policies and programs to put greater emphasis on multi-modal mobility for Brisbane residents and businesses, accommodation of bicycles and pedestrians in addition to vehicular movement, and provisions for comfortable and safe travel from within the community to shopping, employment, recreation, transit, and U.S. Highway 101.
- Establish criteria defining when traffic impact analyses would be required to confirm compliance of proposed development projects with the City's LOS standard.

Update existing factual information in the General Plan, which was originally adopted in 1994.

There are numerous instances where the 1994 General Plan text is outdated, and this amendment updates text throughout Chapters II, V, VI, and XII to reflect current conditions.

ATTACHMENTS:

- A. Approved GP-1-18
- ~~B. Proposed General Plan Amendment (redlined version) – (Not provided)~~
- C. Draft Resolution GP-1-19 (Resolution only - exhibits superseded)
- ~~D. EIR Addendum – (Not provided)~~



 John Swiecki, Community Development Director

**GENERAL PLAN AMENDMENT NO. GP-1-18
FOR THE BAYLANDS, NORTHEAST BAYSHORE, AND BEATTY SUBAREAS
FINAL**

Chapter V: Land Use

1. **General Plan Land Use Diagram.** Revise as follows:
 - a. Delete the Northeast Bayshore subarea and incorporate this former subarea into the Baylands subarea
 - b. Revise the boundaries of the Beatty subarea to include the area bordered by the rail line on the west, Highway 101 on the east and the future extension of Geneva Avenue on the south as illustrated in the General Plan Land Use Diagram.
 - c. Redesignate the Baylands subarea as “Baylands Planned Development” specifically identifying locations within the subarea where residential uses are permitted and prohibited as illustrated in the General Plan Land Use Diagram.
2. **Land Use Designations.** Revise the Baylands Subarea land use designation to read as follows:

The Baylands subarea provides for a transit-oriented variety of residential, employment- and revenue-generating uses; natural resource management; and public and semi-public facilities. A range of 1800-2200 dwelling units (the upper range of which shall not exceed all units permitted under the State density bonus or other law providing for affordable housing), up to 6.5 million square feet of new commercial development, with an additional 500,000 square feet of hotel development shall be permitted. Non-residential development shall be distributed both to the west and to the east of the rail line. Residential uses shall be permitted only in the northwest quadrant of the site bounded by Bayshore Boulevard on the west, the City and County of San Francisco on the north, the Caltrain rail line on the east, and the line of Main Street (extended) on the south as shown on the General Plan Land Use Diagram.

3. Development within the Baylands Subarea shall be subject to the City’s approval of a single specific plan for the entirety of the Baylands Subarea and a development agreement that is consistent with General Plan policies, incorporates all applicable EIR mitigation measures, and is consistent with the following standards:
 - A. The single specific plan and development agreement subject to City review and approval referenced above shall include:
 - (i) detailed plans for Title 27 compliant closure of the landfill and Remedial Action Plans for OU-1 and OU-2 that have been approved by all appropriate regulatory agencies, which include, but shall not be limited to, CalRecycle, the San Mateo County Environmental Health

Department, the California Department of Toxic Substances Control, the California Regional Water Quality Control Board;

- (ii) a specific schedule establishing the time frames by which (i) the landfill must be closed in full compliance with Title 27 and (ii) the remediation of OU-1 and OU-2 must be completed; and
- (iii) specific means by which the City may enforce the applicant's adherence to the schedule for closure and remediation and specific consequences, e.g., monetary penalties, suspension of building permits, etc., that the City may impose on the applicant for failing to adhere to the schedule.

B. A reliable water supply approved by the City of Brisbane to support proposed uses within the Baylands shall be secured prior to site development.

C. All residential development shall be designed and remediated to accommodate ground level residential uses and ground level residential-supportive uses such as daycare, parks, schools, playgrounds, and medical facilities.

D. Each increment of development shall be provided with appropriate transportation related and other infrastructure, facilities, and site amenities as determined by the City. Such transportation related and other infrastructure, facilities, and site amenities (e.g., parks, open space preservation, habitat enhancement) shall be provided at the developer's cost.

E. Baylands development shall be revenue positive to the City on an annual basis where all City costs (e.g., annual operating costs, maintenance and replacement of equipment, facilities, infrastructure, cultural resource and habitat protection and management etc.) are exceeded by project-generated revenues to the City (e.g., to the City's General Fund, enterprise funds, special funds, etc.) during all phases of development and upon final buildout.

F. Sufficient assurances for the satisfactory ongoing performance of site remediation and site development (e.g. site monitoring, performance bonds, environmental insurance) shall be provided as determined by the City.

G. The required specific plan for the Baylands shall include a sustainability program for new development consistent with the principles of the Sustainability Framework for the Brisbane Baylands, Final Report accepted by the City Council on November 5, 2015. Baylands development shall be designed so as to be energy neutral on an ongoing basis.

H. Key habitat areas, including Icehouse Hill and Brisbane Lagoon and adjacent habitat as identified in the 2001 City Open Space Master Plan shall be preserved, enhanced, and protected.

I. The historic Roundhouse shall be protected and preserved. The required specific plan shall ensure rehabilitation of the Roundhouse for adaptive reuse at the developer's cost.

J. Development shall be designed to protect uses from the 100-year flood, including 100 years of projected sea level rise as determined based on regulatory standards or guidelines in effect at the time of project construction, with the reference to guidelines and

sea level rise projections approved by the Director of Public Works/City Engineer based on context-specific considerations of risk tolerance and adaptive capacity.

K. Prior to the issuance of a grading permit to export soil or move soil from the existing landfill area for incorporation in a remediation or grading plan, the soil shall be tested in a manner approved by the City.

3. **Table 5, 1994 General Plan: Land Use Designations and Density/Intensity by Subarea.**

Revise to read as follows:

SUBAREA	LAND USE DESIGNATION	POPULATION DENSITY	NUMBER OF UNITS/ MAXIMUM FLOOR AREA RATIO	MINIMUM OPEN SPACE/OPEN AREA
Northeast Bayshore	Trade Commercial	1.23 – 3.22 E/1,000	2.0 FAR	Per Zoning Requirements
Baylands	Planned Development Trade Commercial	4,032 – 4,928 residents 1.23 – 3.22 E/1,000	1,800 to 2,200 dwelling units <u>increase of up to 6.5 million square feet of non-residential building area with an additional 500,000 square feet of hotel development</u> South of channel** 0-2.4 FAR North of channel** 0-4.8 FAR	Minimum 25% of land area
	Bayfront	0	0	100%
	Lagoon	0	0	100%
Beatty	Heavy Commercial	0 - 1.23 E/1,000	0 -1.0 FAR	Per Specific Plan

* E/1,000 = employees per 1,000 square feet

** as stated in Policy LU.1 “the intent of the FARs given for the Baylands is to accommodate diversity in the height and intensity of structures in order to encourage interesting, flexible, and variable development. In no event shall the FARs shown be interpreted as permitting the maximum intensities to be established throughout the subarea.”

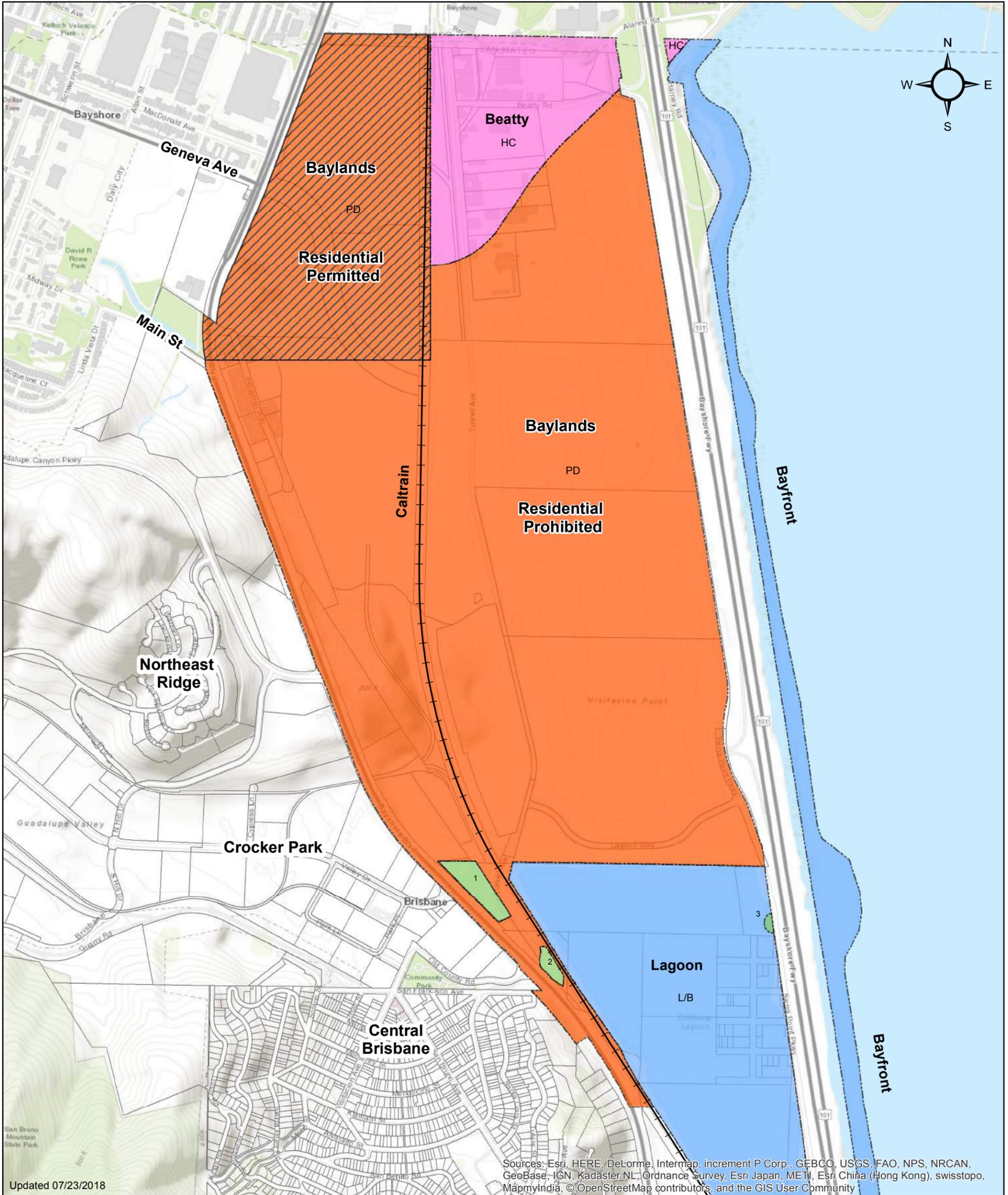
Chapter XII: Policies and Programs by Subarea

4. Delete Policy BL.5 (formerly Policy 330.1) as follows:

Policy BL.5. ~~Prohibit housing on the Baylands.~~

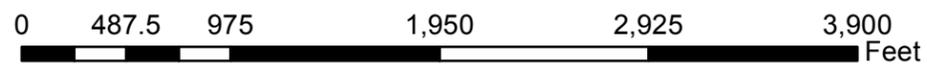
General Plan Land Use Diagram

GP - 1 - 18



Baylands

-  Planned Development PD (Residential Permitted)
-  Planned Development PD (Residential Prohibited)



Other Land Uses

-  Public Facilities and Parks PFP
-  Lagoon / Bayfront L/B

Other Commercial

-  Heavy Commercial HC

Public Facilities and Parks

- 1 - Bayshore Blvd Fire Station
- 2 - Park and Ride Lot
- 3 - Fisherman's Park



RESOLUTION GPA-1-19
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF BRISBANE
RECOMMENDING THAT THE CITY COUNCIL
ADOPT THE AMENDMENT UPDATING CHAPTERS II,V,VI, AND XII OF THE GENERAL
PLAN TO INCOPORATE THE PROVISIONS OF PREVIOUSLY ADOPTED CASE GP-1-18 AND
ENSURE INTERNAL GENERAL PLAN CONSISTENCY

WHEREAS, on July 18, 2018 the Brisbane City Council adopted Resolution 2018-62 approving general plan amendment Case GP-1-18 that amended various provisions of the General Plan related to the Brisbane Baylands general plan subarea to allow for a range of 1800-2200 dwelling units and up to 6.5 million square feet of new commercial development, and 500,000 square feet of hotel development subject to City approval of specific plan consistent with policies established in GP-1-18; and

WHEREAS, on July 18, 2018 the Brisbane City Council adopted Resolution 2018-63 directing that GP-1-18 be submitted to the voters on November 6, 2018 and providing that GP-1-18 would not be effective unless and until it was approved by the voters, and

WHEREAS, On November 6, 2018 Ballot Measure JJ approving GP-1-18 was approved by Brisbane voters by a 55%-45% margin; and

WHEREAS, Resolution 2018-62 directed staff to prepare for Council's consideration any other amendments to the General Plan as may be needed for implementation of GP-1-18; and

WHEREAS, Revisions to Chapter II (Planning Area), Chapter V (Land Use), Chapter VI, (Circulation) and Chapter XII (Policies and Programs by Subarea) of the General Plan are required to fully incorporate GP-1-18 into the General Plan and eliminate potential internal inconsistencies resulting from adoption of GP1-18; and

WHEREAS, Level of Service (LOS) standards for intersections established in the 1994 General Plan will be exceeded due to regional background traffic growth and changes to these standards are necessary to achieve consistency with GP-1-18 and other development envisioned under the General Plan Land Use Element; and

WHEREAS, Given the passage of time since the General Plan was adopted in 1994 there is information in the Plan that does not accurately reflect current conditions and non-substantive changes are propped for improved clarity and accuracy; and

WHEREAS, on July 18, 2018 the Brisbane City Council adopted findings demonstrating that the Brisbane Baylands Final EIR was prepared in accordance with the provisions of CEQA and a Final Program EIR was certified for GP-1-18; and

WHEREAS, the proposed General Plan Amendment implements GP-1-18 related to the Baylands and Beatty General Plan Subareas and Bayshore Blvd; and

WHEREAS, environmental documentation undertaken for the proposed General Plan amendment demonstrates that none of the conditions described in CEQA Guidelines §15162 calling for preparation of a subsequent EIR have occurred; and

WHEREAS, pursuant to the requirements of CEQA Guidelines §15164, an Addendum to the certified Final EIR for the Brisbane Baylands has been prepared;

WHEREAS, notices of public hearings were posted and mailed to property owners of the subject properties and within 300 feet of the boundaries of the subject properties, per BMC Section 17.54.020 prior to the Planning Commission hearing; and

WHEREAS, on September 26, 2019 the Planning Commission conducted a public hearing on the proposed general plan amendment, at which time any person interested in the matter was given the opportunity to be heard.

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 approve the proposed Addendum to the Brisbane Baylands Final EIR and adopt the attached amendments to the adopted General Plan.

ADOPTED this 26th of September 2019 by the following vote:

AYES: Gomez, Gooding, Mackin, and Sayasane

NOES: NA

ABSENT: Patel


Pamala Sayasane,
Chairperson

ATTEST:


JOHN A. SWIECKI, Community Development Director