

## CITY OF BRISBANE

### USE PERMIT APPLICATION INFORMATION FOR FREIGHT FORWARDING AS A CONDITIONAL USE IN THE TC-1 CROCKER PARK DISTRICT

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.

- [ ] 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. The person who is most knowledgeable about the proposal and who can answer questions by phone during daytime working hours should be designated as the "APPLICANT."
- [ ] SITE DEVELOPMENT PLANS--Two (2) full-size legible sets and one (1) reduced (to 8 1/2" x 11" or 11" x 17"), legible and reproducible set of completely dimensioned, scaled site development plans, with bar scales, showing:
  - [ ] Existing and/or proposed structures with dimensioned floor plans (with the use of each room/space labeled);
  - [ ] Accurately dimensioned property lines, adjacent properties (and their uses), streets and easements; existing and proposed utilities, landscaping and bike/pedestrian paths; a small scaled vicinity map;
  - [ ] Existing and/or proposed parking, paving details, improved street width (curb-to-curb), sidewalks, and driveway cuts; for non-residential applications, identify compact and handicapped spaces and include a calculation of the required parking per the Brisbane Municipal Code;
  - [ ] "Proposed Truck Traffic Routing Map" and "Truck Maneuvering Plan" per the attached "Additional Application Submittal Requirements for Freight Forwarders."

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

- [ ] PROJECT DESCRIPTION--An explanation of the proposal, comparing it to existing conditions, including a listing of any potentially hazardous chemical materials used or stored on the site or any noise/odor generators associated with the proposed use complete. A completed copy of the attached "Additional Application Submittal Requirements for Freight Forwarders" is required.
- [ ] SUPPORTING STATEMENTS--To approve your application, the Planning Commission must make the findings required by Sections 17.02.060 and

17.40.060 of the Brisbane Municipal Code (see separate sheet). A written statement from the applicant addressing each of these points is required (please use complete sentences, as your statements may be quoted in the Staff Memorandum to the Planning Commission);

- [ ] PHOTOGRAPHS of the site;
- [ ] ENVIRONMENTAL INFORMATION FORM (see separate sheet)--for larger projects, including "destination retail uses," a traffic study may also be required; and
- [ ] FEES—See Line P1 in the current Master Fee Schedule. An additional Environmental Determination fee (Line 49) may also be required.

Note: Planning fees are non-refundable.

**CODE REFERENCES:** For information regarding freight forwarders within the TC-1 Crocker Park Trade Commercial District, please refer to Sections 17.02.330, 17.19.030.E, 17.19.050 & 17.19.065 of the Brisbane Municipal Code. Please refer to Brisbane Municipal Code Sections 17.02.060 and 17.40.060 for the findings which must be made to approve any Use Permit application.

**NOTIFICATION OF MEETINGS AND HEARINGS.** You will receive confirmation of the date of the public hearing by mail or email via copies of the agenda and staff report. Copies are also available at the Planning Department before noon on the Friday before the hearing and on the City's website at [www.brisbaneca.org](http://www.brisbaneca.org) under "CITY GOVERNMENT"—"ALL MEETINGS". Please call if you have not received a copy prior to the meeting. Applicants should attend all hearings to present their case and respond to any questions or comments.

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

**USE PERMIT APPEALS.** Anyone may appeal the action of the Planning Commission to the City Council not later than 15 calendar days after the Commission's action. An application form and fee (Line P47) is 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. MON-THURS: 8 A.M.-5 P.M. (TO 8 P.M. WED), FRI: 8 A.M.-1 P.M. TO ASSURE THAT SOMEONE WILL BE AVAILABLE TO HELP YOU, YOU MAY CALL AHEAD TO MAKE AN APPOINTMENT.**

**ADDITIONAL APPLICATION SUBMITTAL REQUIREMENTS  
FOR FREIGHT FORWARDERS**

NOTE: NO APPLICATION WILL BE ACCEPTED THAT CANNOT QUALIFY UNDER THE 20% CAP (such an application would be inconsistent with the Zoning Ordinance).

PLEASE COMPLETE AND RETURN THE FOLLOWING:

Hours of operation--

Monday    Tuesday    Wednesday    Thursday    Friday    Saturday    Sunday

	<u>Shift Hours</u>	<u>Number of On-site Employees per Shift</u>	
1 <sup>st</sup> Shift			
2 <sup>nd</sup> Shift			
3 <sup>rd</sup> Shift			
		<u>Number of trucks in</u>	<u>Number of trucks out</u>
Monday-Thursday	5 am-5 pm		
	5 pm-10 pm		
	10 pm-5 am		
Friday	5 am-5 pm		
	5 pm-10 pm		
	10 pm-5 am		
Saturday	5 am-5 am		
Sunday	5 am-5 am		

Description of operations from 10 p.m. to 5 a.m. (if any):

Applicant's Vehicles	<u>Number</u>	<u>Length</u>	<u>Turning Radius</u>
Vans			
Bobtails			
Tractor-trailers			
Other Vehicles (not belonging to applicant)			

Dock Height--                      Existing                      Required/Proposed

PLEASE ALSO SUBMIT THE FOLLOWING:

Proposed Truck Traffic Routing Map—How will truck traffic be routed so as to minimize impacts to neighboring residential areas? How will trucks not owned by the applicant be directed?

Truck Maneuvering Plan—An annotated site plan showing proposed truck turning movements so as to access loading docks without conflicting with street circulation and required on-site parking should be submitted. It should include location, height, width and clearance of all loading docks/doors.

## FREIGHT FORWARDER USES IN THE TC-1 CROCKER PARK TRADE COMMERCIAL DISTRICT

Brisbane Municipal Code

### 17.02.330 Freight forwarder.

"Freight forwarder" means an establishment engaged in the receipt and distribution of goods, products, mail, packages, cargo, or materials, or any combination thereof, belonging to others, including transshipment by boat, rail, air or motor vehicle. The distribution function may include the breakdown of large orders from a single source into smaller orders for distribution to several recipients and consolidation of several orders into one large one for distribution to a single recipient. The term does not include any establishment engaged in the receipt and/or distribution of its own products, inventory or merchandise.

### 17.19.030 Conditional uses

Conditional uses allowed in the Crocker Park District, subject to obtaining a use permit and if conducted in accordance with the performance standards set forth in Section 17.19.050, are as follows:

- E. Freight forwarders, subject to compliance with the provisions of Section 17.19.065;

### 17.19.050 Performance standards.

All uses in the Crocker Park district shall be conducted in accordance with the following performance standards:

A. All routine aspects of the day-to-day operations of a business, including all storage of materials and products, shall take place entirely within a building, with the following exceptions:

1. Commercial recreation;
2. Parking of operable vehicles related to the interior use;
3. Shipments and deliveries incidental to the primary use.

### 17.19.065 Regulation of freight forwarders

A. Findings and determinations. The City Council finds and determines that an increased number of freight forwarders are seeking to relocate in the Crocker Park District. This demand has been created by limitations on available space for freight forwarding businesses in neighboring cities and at the San Francisco Airport. Freight forwarders already comprise a significant portion of all businesses operating within the Crocker Park District. Unless a restriction on the establishment of additional businesses is adopted, the increased demand for space could result in an excessive concentration of freight forwarders in Crocker Park, contrary to the objective of maintaining a mixture of different land uses, as prescribed by the General Plan. In addition, freight forwarders typically operate at night, utilizing large trucks and equipment that may disturb the occupants of adjacent residential neighborhoods. Special regulations are therefore required in order to mitigate and avoid the potential adverse impacts caused by freight forwarders.

- B. Exemption for existing freight forwarders.

1. A freight forwarder that was legally operating within the Crocker Park District as of February 8, 1999, in accordance with all zoning regulations applicable to such use and pursuant to a business license duly issued by the City, shall be deemed to be a conforming use and no use permit or other approval shall be required for the continued operation of such business on the same site. This exemption shall remain in effect for so long as a freight forwarding use is being conducted on the site, notwithstanding any change in the identity of the

freight forwarder occupying the property or any change of ownership of the property on which the use is being conducted. However, the exemption shall conclusively be deemed to have been voluntarily relinquished if the site formerly occupied by a freight forwarder is occupied by any other use. No change of use shall be deemed to have occurred solely by reason of the fact that the property is vacant.

2. The exemption provided by Section 17.19.065-B-1 applies only to the site on which the existing freight forwarding use is being conducted and may not be relocated, assigned, or transferred to any other site within the Crocker Park District. In addition, the exemption from the requirement to obtain a use permit for the conduct of a freight forwarding business shall not exempt such freight forwarder from the requirement to obtain a use permit for night operations pursuant to Section 17.19.060 where such freight forwarder was not engaged in the conduct of night operations prior to February 8, 1999 and desires to commence night operations after such date at a location within three hundred (300) feet from the nearest lot line of a residential property.

C. Limitation on the number of freight forwarders. No use permit shall be granted for the establishment of any new freight forwarder use in the Crocker Park District where the gross square footage to be occupied by such use, when added to the gross square footage then occupied by all other freight forwarders in the Crocker Park District, would exceed twenty percent (20%) of the total gross square footage of all buildings in the Crocker Park District. The determinations of square footage referred to herein shall be made by the Planning Director, based upon building plans and business license records on file with the City and such other information as the Planning Director may deem appropriate to consider.

D. Approving authority. Applications for a use permit for a freight forwarder shall be acted upon by the Planning Commission and shall be governed by the provisions of Chapter 17.40 of this Title, as supplemented by this Section 17.19.065.

E. Findings for use permit approval. In addition to the findings required by Section 17.40.060, no use permit shall be granted for establishment of a freight forwarder in the Crocker Park District unless the Planning Commission finds and determines that the improvements on the site comply with all applicable design and building standards for the proposed freight forwarding use and such additional requirements as may be determined by the City Engineer, including, but not limited to, size and layout of parking and loading areas, dock height and clearance, traffic circulation, and method of ingress to and egress from the site. If the freight forwarder intends to engage in night operations, a separate use permit for such activity must be obtained pursuant to Section 17.19.060.

F. Continuing jurisdiction of Planning Commission. The Planning Commission shall have continuing jurisdiction over every use permit issued pursuant to this Section and may at any time, if the original findings required for issuance the use permit can no longer be made, modify or amend any of the use permit conditions, or impose new and additional conditions, or revoke the use permit.

G. Administrative guidelines. The Planning Director is authorized to adopt administrative interpretations and guidelines for implementation of this Section, including, but not limited to, the determination of exemptions for existing freight forwarders under Paragraph B and the determinations of square footage areas under Paragraph C.