

CITY OF BRISBANE

USE PERMIT APPLICATION INFORMATION FOR CONDITIONAL USES PER DISTRICT REGULATIONS

**FOR INTERIM USES IN THE BAYLANDS, PLEASE REFER TO THE APPLICABLE SPECIFIC
APPLICATION CHECKLIST**

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.

ALL USE PERMIT APPLICATIONS:

The following information and documents are required for all design permit applications, unless specifically waived by staff:

- APPLICATION AND FEE - A completed planning application and filing fee.

Refer to the Master Fee Schedule. Note: Planning fees are non-refundable.

An additional Environmental Determination fee (Line P49) may also be required.

- PROJECT DESCRIPTION - A complete project description, which shall include all components and phases of the proposed project. For non-residential applications, detail the operations of the proposal, including numbers of existing and proposed employees broken down by type of use (office/warehouse/industrial) and include a listing of any potentially hazardous chemical materials used or stored on the site or any noise/odor generators associated with the proposed use

- DEVELOPMENT PLANS - Three (3) complete sets of development plans prepared in accordance with the Community Development Department's plan preparation guidelines (separate document), including:

- Site Plan
- Floor Plans
- Exterior Elevations
- Conceptual Grading/Drainage Plan
- Conceptual Landscape Plan
- Topographic Map
- Demolition Plan

(Note: Staff may waive certain plan components based on the specific project proposal. Consult with staff prior to submittal to confirm required components.)

- One (1) complete set of development plans reduced to 11"X17".
- An electronic copy of required plans in PDF or other acceptable file format. (Consult with the project planner.)
- SUPPORTING STATEMENTS - A written statement of findings from Attachment A of this checklist, as applicable to the project and zoning district.

- PHOTOS - Photos 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. Photos may be submitted digitally in the following formats: JPEG, BMP, or TIF.
- STORMWATER CHECKLIST - A completed C.3/C.6 Checklist or Small Projects checklist, depending on the project type and scope. (Check with Community Development staff prior to completing.)

USE PERMIT FOR FREIGHT FOWARDING IN THE TC-1 DISTRICT:

- All items listed above under “All Use Permit Applications.”
- 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.
- A written description of the following:
 - Proposed hours of operation, seven days per week.
 - Proposed shift hours (1st, 2nd, 3rd, and so on) and number of on-site employees per shift
 - Description of operations from 10 PM to 5 AM (if any)
 - Proposed number of trucks entering and exiting the property for the following days/times, as applicable based on hours of operations:
 - Monday-Friday: 5 AM- 5PM; 5 PM-10 PM; 10 PM- 5 AM
 - Saturday- Sunday: 5 AM – 5 AM
 - The following information on vehicles accessing the site, both owned by the applicant and by other parties:
 - Number, length, and turning radius of vans, bobtails, tractor-trailers, and any other vehicles, separated by vehicle type
 - Existing and proposed dock height(s)
- Proposed truck traffic routing map showing how will truck traffic be routed so as to minimize impacts to neighboring residential areas and how will trucks not owned by the applicant will be directed.
- Truck maneuvering plan showing proposed truck turning movements so as to access loading docks without conflicting with street circulation and required on-site parking. It should include location, height, width and clearance of all loading docks/doors.

USE PERMIT FOR CONDOMINIUM CONVERSIONS:

- All items listed above under “All Use Permit Applications.”

- Three (3) sets of photo simulations, including
 - A color and finished material palate.
 - Landscaping consistent with the conceptual landscape plan.
- A tentative subdivision or parcel map (see Tentative Map Application Information Checklist), or completed request to waive the requirement for a subdivision or parcel map (see Tentative or Parcel Map Waiver Application Information Checklist).
- A condominium plan consistent with the requirements of [California Civil Code Section 4285](#).
- A copy of the declaration of restrictions and proposed management arrangement relating to the projects, consistent with the requirements of BMC 17.30.040.F and the provisions of [California Civil Code Section 4205-4370](#).
- The information for condominium conversions required by [BMC Section 17.30.045](#):
 - A building history report, including the following:
 - The date of construction of all elements of the project
 - A statement of the major uses of the project since construction
 - The date and description of each major repair or renovation of any element since the date of construction
 - The name and address of each present tenant of the project
 - If any of the above information cannot be provided, an affidavit or declaration setting forth in detail all efforts undertaken to discover such information and reasons why the information cannot be obtained.
 - A property inspection report prepared by a licensed civil engineer, structural engineer, architect, general building contractor and/or general engineering contractor, determining the level of current building and fire code compliance and describing the condition and estimating the useful life of each of the following elements of each structure within the project:
 - Foundations
 - Structural elements
 - Interior walls, ceilings and floors (inspected for termite, dry rot or water damage, including toxic mold)
 - Roofs
 - Drainage systems
 - Exterior sidings and finishes
 - Paved surfaces
 - Mechanical systems
 - Electrical systems
 - Plumbing systems, including sewer systems
 - Landscaping
 - Sprinkler systems for landscaping
 - Utility delivery systems
 - Central or community heating and air conditioning systems
 - Fire protection systems, including any automatic sprinkler systems
 - Alarm systems and property security in general
 - Smoke detectors and any required carbon monoxide alarms
 - Standpipe systems

- Written certification from a licensed appliance repair contractor on the working condition of all private and common appliances and mechanical equipment.
- Written certification from a licensed painting contractor on the condition of all exterior painted surfaces.
- Written certification from a licensed roofing contractor on the condition of all roofs.
- A structural pest control report prepared by a licensed structural pest control operator pursuant to Section 8516 of the Business and Professions Code.
- An acoustical test data report on the noise attenuation characteristics of existing party walls, floors and ceilings prepared by a licensed acoustical consultant, based upon a representative sampling of the units, identifying any current building code standards for exterior and interior noise transmission that cannot be met.
- A summary of average rents for each bedroom type of rental unit, and a detailed unit history containing the following information:
 - Location of unit
 - Number of rooms
 - Size of unit in square feet
 - Rental rate during two (2) years preceding the date of submittal of the application, indicating dates of rental rate increases
 - Duration of occupancy of present tenants
- A housing and tenant relocation report prepared by a qualified consultant approved by the planning director, containing the following information:
 - The number of multiple dwelling rental units which will remain after the conversion
 - The nature and type of relocation assistance proposed by the applicant, including financial assistance and the provision of alternative housing facilities, including relocation programs
 - Vacancy information in rental units and the availability thereof within the city of Brisbane
 - The proposed schedule of meetings which the applicant plans or proposes to hold with tenants to explain the application and its ramifications to the tenants
 - The proposed phasing or timing schedule of conversion and sale of units
 - Whether existing tenants will be given any discount from otherwise applicable sales prices
 - Any plan for temporary displacement of tenants who purchase units
 - A description of the demographic composition of the tenants, including information on age, persons per unit, persons over age sixty-two (62), number of permanent disabled persons, and tenure per unit
 - Suitable proof of compliance with the residential tenant notification requirements in Government Code Sections 66452.17 and 66452.18
- A written statement of findings from Attachment A of this checklist.
- A completed C.3/C.6 Checklist or Small Projects checklist, depending on the project type and scope. (Check with Community Development staff prior to completing.)

USE PERMIT APPLICATION INFORMATION FOR DENSITY TRANSFER PER BRISBANE MUNICIPAL CODE SECTION 17.12.050

- All items listed above under “All Use Permit Applications.”
- Vicinity map showing the site(s) to be developed and the sites to be dedicated as open space and indicating the square footage of all sites.
- Sufficient data for the City to confirm whether the site from which the transfer units would be taken has value as open space in terms of location contiguous with San Bruno Mountain State and County Park or adjoining developed parcels on no more than one side and/or in terms of the presence of intact native vegetation, endangered butterfly species habitat, permanent or semi-permanent wetlands and/or a portion of a significant watercourse, per BMC Section 17.12.050.A.(2). At a minimum this will require preparation of a biological resources assessment by a consulting biologist, contracted with the City of Brisbane. Contact Planning staff for information on contract procedures.
- Sufficient data for the City to confirm whether the site receiving the transfer units is suitable for development with the proposed increase density per BMC Section 17.12.050.A.(3)., including:
 - Receiving site lot area is at least 20,000 sq. ft.
 - Receiving site does not contain any of the features of value for open space listed above
 - Receiving site is located adjacent to or relatively near existing development and infrastructure
- Proposed method of retaining the dedicated land in permanent open space per BMC Section 17.12.050.A.(1).

CODE REFERENCES: For information regarding the conditional uses within a specific district, please refer to the applicable chapter of the Brisbane Municipal Code. Please refer to BMC Section 17.40.060 for the findings which must be made to approve any Use Permit application. Please refer to BMC Chapter 17.12 for the findings which must be made to approve a clustered development or density transfer Use Permit application in the Brisbane Acres R-BA District. Please refer to BMC Sections 17.34.050.I for the findings which must be made to approve a Use Permit to modify the parking regulations.

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 public hearing via the notice of public hearing, and will provide the meeting agenda and a copy of the agenda report the Friday before the scheduled hearing. Copies of the agenda and agenda report are also available at the Planning Department and on the City’s website, www.brisbaneca.org by noon on the Friday 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 Planning Commission to the City Council not later than seven (7) calendar days after the Commission's action. An appeal application form and fee (Line P46) is required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY
DEVELOPMENT DEPARTMENT

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.



COMMUNITY DEVELOPMENT DEPARTMENT | CITY OF BRISBANE |
50 PARK PLACE | BRISBANE, CA 94005 | (415) 508-2120

SUPPORTING STATEMENTS

Findings Required for Approval of All Use Permits

Brisbane Municipal Code §17.40.060

In order to approve any use permit application, the Planning Commission must affirmatively make the findings of approval in BMC Chapter 17.40, which are reproduced below. Supplemental findings may also be required depending on your specific project and the applicable zoning district and are listed in this attachment.

Please respond to each required finding as it relates specifically to your proposal and include a reference to the applicable plan sheet in the development plans. Attach additional pages if necessary, or provide written responses on a separate document.

1. How has the project been designed and operated in order to be compatible with the nature and condition of all adjacent uses and structures, and with general and specific plans for the area in question?

	Plan Sheet Page(s)

2. How will the propose use be designed and operated in order to not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood?

	Plan Sheet Page(s)

3. How will the proposed use be designed and operated in order to not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city?

	Plan Sheet Page(s)

--	--

Use Permits to Modify the Parking Regulations

Brisbane Municipal Code §17.34.050

In addition to the findings of approval for use permits, the Planning Commission must also affirmatively make the special findings of approval located in the Brisbane Municipal Code Chapter 17.34, which are reproduced below.

1. Describe why strict enforcement of the specified regulation is not required by either present or anticipated future traffic volume or traffic circulation on the site.

	Plan Sheet Page(s)

2. Describe how the granting of the use permit will not create or intensify a shortage of on-street parking spaces, given, for example, the availability of existing or improved on/off-street parking which may not fully meet the requirements of this chapter.

	Plan Sheet Page(s)

3. Describe why full compliance with the parking requirements is not reasonably feasible due to existing structural or site constraints. This finding shall not be required for residential units dedicated to be affordable to households with very-low, low, or moderate incomes or designed and dedicated for use by households with one or more members who are 62 years of age or older, subject to restrictions approved by the City and recorded with the County of San Mateo.

	Plan Sheet Page(s)

Transfer of Density in the R-BA Brisbane Acres District
17.12.050.B

Clustered Development in the R-BA Brisbane Acres District

Brisbane Municipal Code §17.12.055.B

In addition to the findings required under BMC 17.40.060, the Planning Commission must also affirmatively make the below special findings for clustered development use permit applications in the R-BA District, per BMC §17.12.055.B:

1. Describe how the units in the clustered development are sited, designed and constructed to avoid adverse effects upon environmentally sensitive areas both on and off site, such as disturbance of watercourses and hazardous geologic conditions.

	Plan Sheet Page(s)

2. Will the units in the clustered development be sited adjacent to or relatively near existing infrastructure, and extension of such infrastructure to serve the clustered development meet city standards?

	Plan Sheet Page(s)

3. Will the clustered development have adequate parking and vehicular circulation?

	Plan Sheet Page(s)

4. Describe how the clustered development is designed to be compatible with adjacent and nearby development and to minimize its visual impact.

Plan Sheet
Page(s)

5. What conditions may be applied to the use permit to assure that native vegetation is satisfactorily provided, improved and/or maintained within the area dedicated as conserved habitat?

Plan Sheet
Page(s)

Night Operations in the NCRO-1, NCRO-2, SCRO-1 & TC-1 Districts

Brisbane Municipal Code §17.14.080, §

In addition to the findings required under BMC §17.40.060, the Planning Commission must also affirmatively make the below special findings:

NCRO-1, NCRO-2, and SCRO-1 Districts

1. Describe how the night operations will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

Plan Sheet
Page(s)

Attachment A
Use Permit Supporting Statements

TC-1 District

1. Describe how the night operations will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

	Plan Sheet Page(s)

2. To the extent that any noise, glare or other impacts related to the night operations are caused by persons other than the applicant, the applicant has the ability to effectively control and mitigate such impacts.

	Plan Sheet Page(s)