

## NOTICE OF ELECTION

### & DEADLINE FOR SUBMITTING ARGUMENTS AND REBUTTALS

NOTICE IS HEREBY GIVEN that an election will be held in the City of Brisbane on Tuesday, the 6th day of November, 2018 for the voters to consider the following:

“AN ORDINANCE FOR THE CITY OF BRISBANE APPROVING  
GENERAL PLAN AMENDMENT NO. GP-1-18  
FOR THE BAYLANDS, NORTHEAST BAYSHORE, AND BEATTY SUBAREAS”

**Full Text of Proposed Ordinance is as follows:**

**The People of the City of Brisbane do ordain as follows:**

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

#### **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, incorporate 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	<del>Trade Commercial</del>	<del>1.23 – 3.22 E/1,000</del>	<del>2.0 FAR</del>	<del>Per Zoning Requirements</del>
Baylands	<del>Planned Development- Trade Commercial</del>	<u>4,032 – 4,928 residents</u> <del>1.23 – 3.22 E/1,000</del>	<u>1,800 to 2,200 dwelling units 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	<u>Minimum 25% of land area</u>
	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

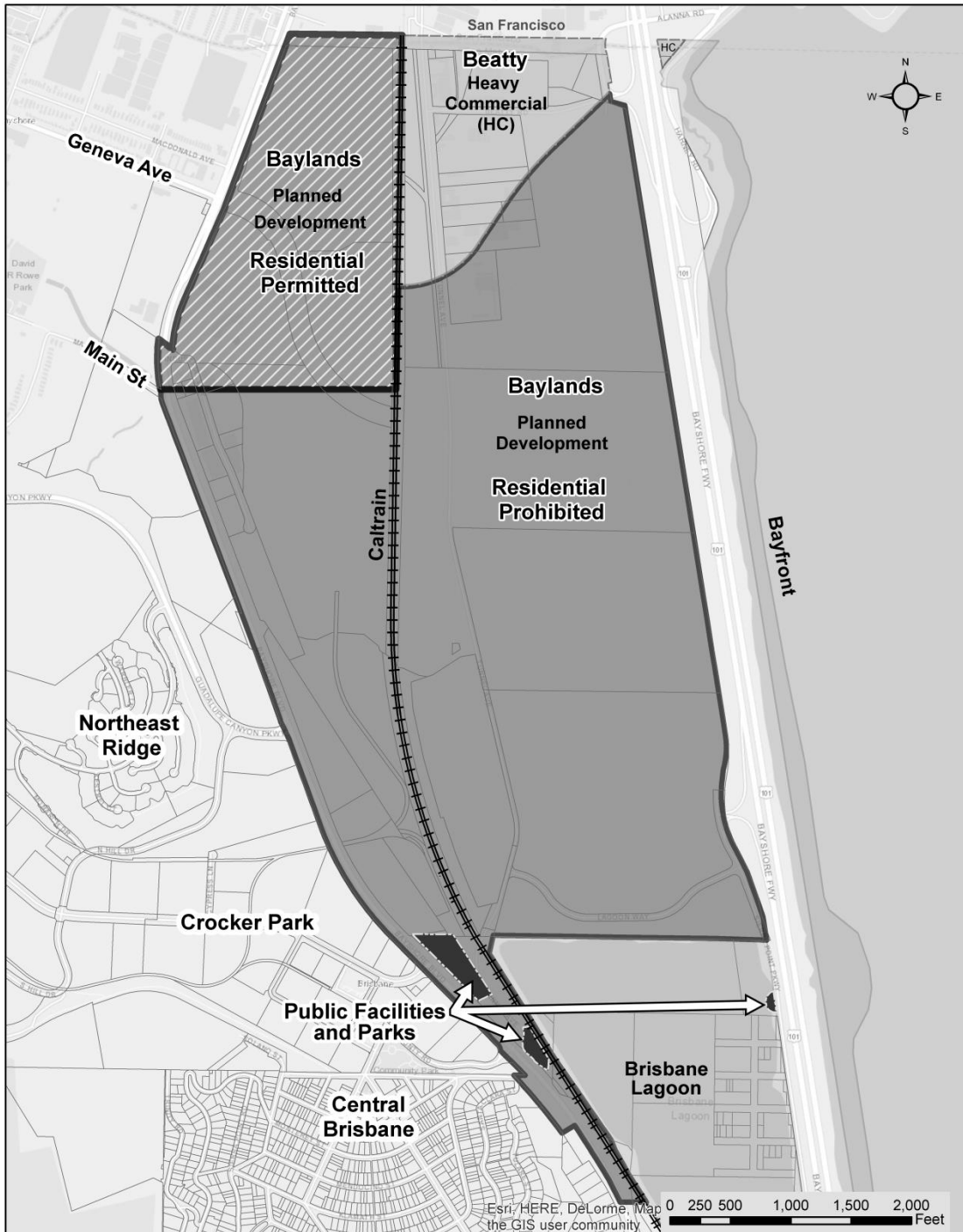
\*\* as stated in Policy LU.1 “ the intent of the FARs given for the Baylands is to accommodate diversity in the height and intensity of structure in order to encourage interesting, flexible, and variable development. In no event shall the FARs shown be interpreted as permitting the maximum intensities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



Notice for submission or **ARGUMENTS AND REBUTTALS**

As provided in Elections Code, section 9285, the City Council authorizes, on behalf of the City Council, a committee of the City Council to file a written Argument For the measure, and a committee of the City Council to file a Rebuttal argument (should an Argument Against the measure be filed) and other Council members may sign such Argument/Rebuttal. Any individual voter who is eligible to vote on the measure or bona fide association of citizens or combination of voters and associations may also submit a written argument for or against the measure. Such argument, whether For or Against, shall not exceed 300 words and be accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, in accordance with Article 4, Chapter 3, Division 9 of the Election Code of the State of California. Primary arguments For or Against the measure must be submitted to the City Clerk by August 16, 2018. The Rebuttal arguments must be submitted to the City Clerk by August 27, 2018 and shall not exceed 250 words.



Ingrid Padilla

City Clerk

Dated: July 27, 2018