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CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE \_\_\_

The Brisbane General Plan is a comprehensive, long-term plan for the physical development of the City. State law requires a city's zoning regulations and other land use approvals to be consistent with its General Plan. General Plans may be amended.

The Baylands is an approximately 684-acre, mostly undeveloped, site located primarily within Brisbane. It is bounded on the north by the City and County of San Francisco, on the east by Highway 101, the lagoon on the south, and Bayshore Boulevard on the west. The Caltrain rail line runs through the site.

The Brisbane General Plan currently prohibits housing in the Baylands. The Universal Paragon Corporation (UPC), which owns the majority of the Baylands site, sought to amend the General Plan to develop the Baylands with 4434 residential units and 6.95 million square feet of new commercial development.

After a lengthy public process, the Brisbane City Council took no action on UPC's application but approved a General Plan amendment concerning the Baylands ("Baylands GPA"), subject to voter approval. Accordingly, the City Council has placed the Baylands GPA before the voters. The voters must approve Measure \_\_\_ for the Baylands GPA to go into effect.

The Baylands GPA includes the following:

- A. Within the Baylands, allows for a range of 1800 to 2200 dwelling units, up to 6.5 million square feet of new commercial development, and an additional 500,000 square feet of hotel development. The non-residential development would be distributed to the east and west sides of the rail line. Residential development would be permitted only in the northwest quadrant of the site as shown on the General Plan Land Use Diagram.
- B. Prior to any site development, the City Council must approve a specific plan and development agreement, including detailed plans for landfill closure and site cleanup (to address health risks associated with site contaminants) that have been approved by regulatory agencies. All sites to be used for residential development must be cleaned up to accommodate ground level residential uses and ground level residential supportive uses (e.g., parks, playgrounds, etc.).
- C. The developer of the Baylands shall be financially responsible for all site development costs, development shall be revenue positive to the City on an annual basis during all phases of development, and the specific plan shall include a sustainability program consistent with the City's Sustainability Framework for the Baylands.
- D. Development shall be designed to protect uses from a 100 year flood, including 100 years of projected sea level rise, and key habitat areas and the Roundhouse shall be protected and preserved.

E. Before a grading permit is issued to move soil from the site, the soil shall be tested in a manner approved by the City. 20  
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A "Yes" vote is a vote in favor of the General Plan Amendment. A "No" vote is a vote against the General Plan Amendment. The measure will be approved if it receives a simple majority of "Yes" votes. 21  
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Dated: August 16, 2018



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Total Word  
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472