

CITY OF BRISBANE

USE PERMIT APPLICATION CHECKLIST 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.

➤ **ELECTRONIC SUBMITTAL REQUIRED:**

- Please submit all required items as PDF, Microsoft Office (Word, Excel, etc.), or JPG/TIF/PNG file types, as appropriate to the items listed below. You may compress or archive multiple file types into a single folder and upload the compressed (zipped) folder to our [electronic planning application](#). (Max 125 MB per file or folder.)
- Development plans MUST be submitted in PDF format;** CAD or other drafting file types will not be accepted. Development plan pages must be contained in one single PDF file; PDF files of individual plan pages will not be accepted. Please see the [Plan Preparation Guidelines](#) for digital file submittal standards.

ALL USE PERMIT APPLICATIONS:

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

- APPLICATION – A completed electronic planning application.
 - Signature(s) of the legal owner(s) of all of the property** must be provided on a [Property Owner Authorization Form](#) authorizing the "APPLICANT" to submit the application on the owner's behalf.
- APPLICATION FEE – Refer to line P2 of the [Master Fee Schedule](#). Fee may be paid by Visa or MasterCard (please note 2% additional processing fee), or by check.

Following application review, an additional Environmental Determination fee (Line P49) may also be required, as determined by the project planner.

Note: Planning fees are non-refundable.

- SUPPORTING MATERIALS – The below documents and plans must be electronically submitted with any use permit application.
 - PROJECT DESCRIPTION – A written 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)
 - DEVELOPMENT PLANS – The below-listed development plans prepared in accordance with the Community Development Department’s plan preparation guidelines:
 - Site Plan
 - Floor Plans
 - Exterior Elevations
 - Conceptual Grading/Drainage Plan
 - Conceptual Landscape Plan
 - Topographic Map
 - Demolition Plan
 - Proposed truck traffic routing map showing how truck traffic will be routed so as to minimize impacts to neighboring residential areas and how 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.
- Note:** Staff may waive certain plan components based on the specific project proposal. Consult with staff prior to submittal to confirm required components.
- 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: GIF, JPG, JPEG, PNG, PDF, 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.)

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 Section [17.40.060](#) for the findings which must be made to approve any Use Permit application.

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.

USE PERMIT 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 application form and fee (Line P47) are required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY
DEVELOPMENT DEPARTMENT
planning@brisbaneca.org

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



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) |
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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) |
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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?

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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.