

OPEN SPACE PLAN FOR THE CITY OF BRISBANE

Approved by the Brisbane City Council August 27, 2001



Brisbane and San Bruno Mountain from the Baylands: photo Randy Anderson

Prepared for the Brisbane City Council
by
The Brisbane Open Space & Ecology Committee

Members	Affiliation
W. Clarke Conway, Chair	City Council
Raymond C. Miller, Vice Chair	Public Member
Michael Barnes	Planning Commission
Elena Court	Public Member
Alexandra Early	Public Member
Mary Howle	Parks, Beaches & Recreation Commission
Clara Johnson	City Council

Consultants
Randy Anderson, Bruce Randolph Anderson & Associates

Staff
Fred Smith, Assistant to the City Manager
Raphael Breines, Open Space Intern

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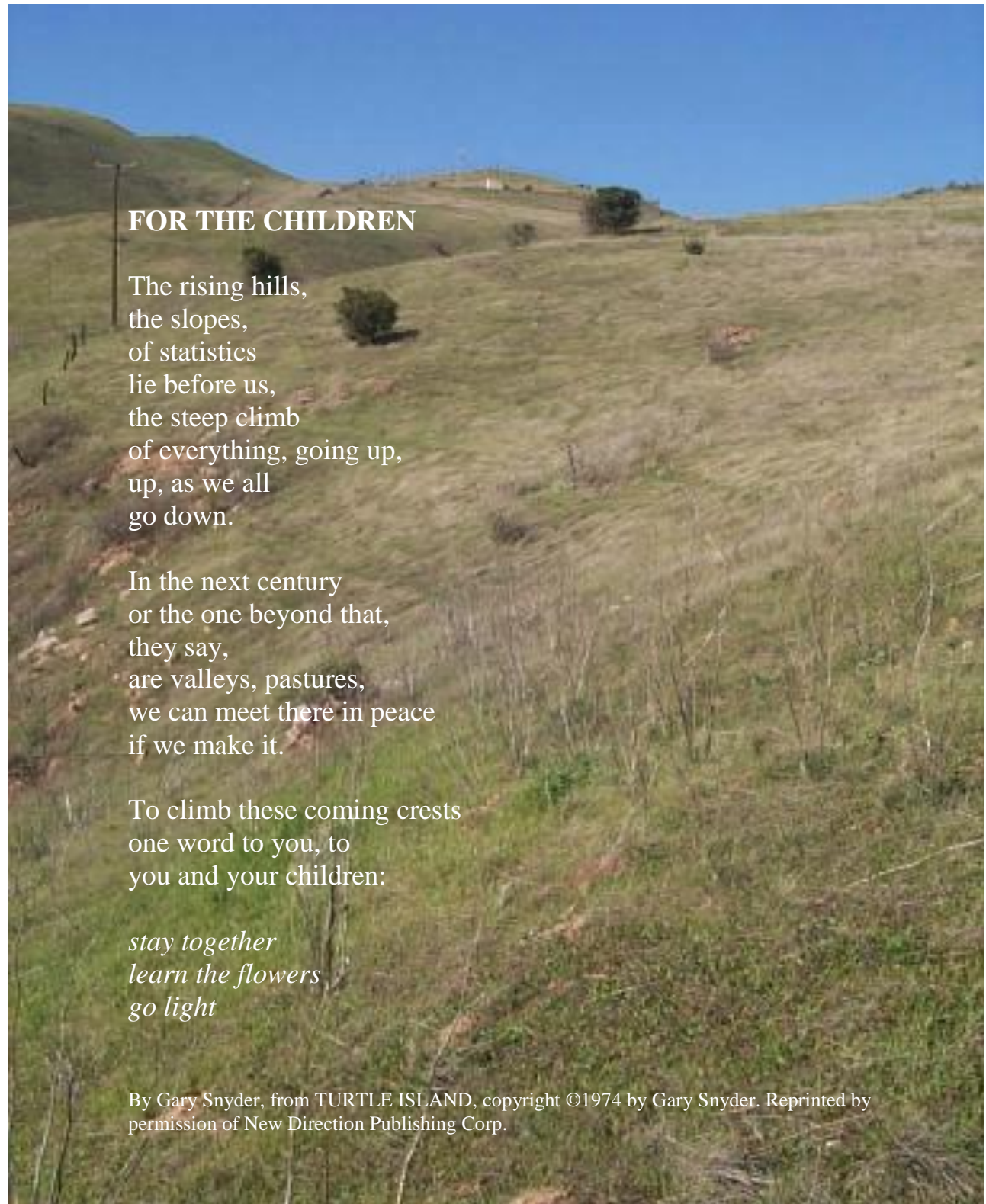
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Parcel Reports for Other Subareas
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FOR THE CHILDREN

The rising hills,
the slopes,
of statistics
lie before us,
the steep climb
of everything, going up,
up, as we all
go down.

In the next century
or the one beyond that,
they say,
are valleys, pastures,
we can meet there in peace
if we make it.

To climb these coming crests
one word to you, to
you and your children:

*stay together
learn the flowers
go light*

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Purpose of the Open Space Plan

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Purpose of the Open Space Plan

The People of the City of Brisbane take great pride and pleasure in San Bruno Mountain. It protects us from the winds and fog of the Pacific and it cradles the wonder and beauty of the plants and animals that live here with us. It is in a spirit of appreciation and with a concern for stewardship of this shared mountain home that this plan is conceived. It represents a reflection of our community's love of this place.

This is a planning document, as authorized by Section 65563 *et seq.* and Section 65564 of the Government Code, which require that every California city and county prepare an open space plan and action program consisting of specific programs the city intends to pursue in implementing the plan. It is not a land use regulation.

This document offers a vision for a comprehensive and integrated open space system for the city and is intended to be a flexible, working tool to guide the City Council in implementing specific environmental policies and programs from the 1994 Brisbane General Plan. Program 93h of the 1994 Brisbane General Plan states, "for reference and assistance in establishing open space priorities, prepare a comprehensive map of vacant lands on the planning area and update the map annually". This report fulfills this requirement and explains the analytical process that the Open Space & Ecology Committee took to arrive at its conclusions. The recommendations within this plan reflect the opinion of the Open Space & Ecology Committee as to the most significant natural and open space resources in the City of Brisbane. This plan establishes overall guidelines and/or criteria for decision making. It is important that policies identifying open space potential be founded on soundly documented criteria. This is one of the purposes of this plan.

This document addresses the possibility of land acquisition or preservation based on identification and evaluation of natural resources and amenities within the jurisdictional boundaries of the City of Brisbane. This identification and evaluation of resources is intended to judge the open space value of a parcel.

What the Open Space Plan Does Not Do

This plan is not meant to declare the city's intent to acquire any parcels or to override current land use regulations. This document does not in any way recommend that the areas identified as containing valuable natural resources be rezoned to an open space or similar district or made subject to land use restrictions that would preclude any reasonable development and take or damage private property for public use without just compensation.

The information in this plan is not to be considered sufficient for documentation of resources for the purposes of review of development proposals, which may require more detailed site-specific studies.

Purpose of the Open Space Plan

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Executive Summary

This Open Space Plan is a means of implementing the City's General Plan policies regarding open space. General Plan goals regarding open space, stated on page 110, are that:

*The City of Brisbane will be a place . . .
Where open space lands have been set aside to protect the natural environment;
Where outdoor areas provide recreational open space and educational opportunities;
Where open space and natural areas provide respite to both residents and businesses; and
Where residents reciprocate by respecting and maintaining the land and waters for future generations.*

The General Plan, adopted in 1994 by the City Council and ratified by the citizens, set forth numerous implementation programs for the protection of open space, which was a high priority in a community survey conducted at that time (see Table 7 on page 123 of the General Plan for additional information). Open space has always had a significant role in the life of the Brisbane community, stemming from the city's dramatic location, sheltered by the flanks of San Bruno Mountain, and extending along the San Francisco Bay shore. Residents, workers, and visitors have long recognized the City's unique geography and character.

"It seems to me that we all look to nature too much, and live with her too little".
Oscar Wilde

Taking the theme of Oscar Wilde's observation to heart, the people of Brisbane are taking active steps to do more than appreciate nature; they will work to permanently protect nature and form a sustainable relationship between the Mountain, the Bay and the City. This Open Space Plan is an important step in this relationship.

Organization of the Plan

This Open Space Plan is organized into two volumes. Volume I is the Plan. Volume II contains detailed site evaluations and background and reference information.

Section I of the Plan provides more detail on the Plan and its purposes: defining open space and its benefits; providing background on the Open Space and Ecology Committee that oversaw the preparation of the Plan; defining the objectives of the Plan, and its relationship to the General Plan.

Section II of the Plan presents the analysis of specific open space resources in six subareas of the City, consistent with subareas established for the General Plan. It defines the types of resources evaluated, describes the evaluation methods, and includes

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descriptions and maps of the individual and composite open space resources. It also contains specific policies for the use and management of open space that the City may acquire.

Section III of the Plan contains reference information used for the Plan, including specific General Plan policies that guided the preparation of the Open Space Plan, and will continue to guide efforts to protect, use, and manage open space. This section includes a summary of the features and adopted master plan for San Bruno Mountain State and County Park, which is critical to the open space character and plans of the City, and a summary of the Habitat Conservation Plan for San Bruno Mountain, to which the City is a party. It provides a table of existing park, open space, and recreational resources and a bibliography of study references.

Section IV presents a detailed discussion of the various methods and mechanisms for preserving, acquiring, and protecting open space.

A separate Background and Reference Information document contains detailed reports of the resource values identified for specific properties, results of the public survey conducted on open space issues for the General Plan update, and tables of public and private grant sources for open space protection

Study Methodology

The Open Space and Ecology Committee, established by the City Council, consists of seven members: two from the City Council; one from the Planning Commission; one from the Parks, Beaches, and Recreation Commission; and three public members. Over a two year period the Committee worked with City staff to identify the most important open space resource criteria and to review and refine site-specific resource evaluations prepared by staff. The conclusions, maps and documentation were then refined with assistance from a planning consultant.

These resource evaluations were prepared using existing map and file data, supplemented by thorough field review. The evaluations provide a generally accurate identification of open space resources. Potential resource lands were evaluated in five study areas or subareas (see Figure 1), consistent with subareas defined in the General Plan. Subareas included Brisbane Acres, Sierra Point, Northwest Bayshore, Baylands and Beatty. A sixth subarea, the Northeast Ridge, was not evaluated because its development and open space areas are already approved and partly implemented. It is described and mapped for informational purposes. The quarry was not included as it is not within the city limits, though it is within the City's sphere of influence.

The methodology for identification of open space values in the Brisbane Acres subarea was different from the other subareas because Brisbane Acres has more natural resources, varied topography, is more contiguous to San Bruno Mountain Park, and has relatively small parcel sizes. Over 40 factors were considered to identify the most important

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resources. After discussing the criteria and reviewing the preliminary evaluations, the Committee concluded that the most significant criteria to be considered in the evaluation of open space resources are:

1. Contiguous with San Bruno Mountain State and County Park
 2. Contains intact native vegetation
 3. Contains endangered butterfly habitat
 4. Contains permanent or semi-permanent wetlands
 5. Forms a portion of a significant watercourse
 6. Adjoins developed parcels on more than one side
- (The sixth significant criterion is a “negative” factor: its presence makes a parcel less desirable as open space)

Maps of these resources are provided in Section IID.

Evaluation of open space resources in the other four subareas, which are generally developed and disturbed sites with larger parcels, was based on less elaborate criteria. All evaluations were based on General Plan policies.

Key Study Conclusions

The most critical areas for protection, based on identification of significant resources, and near-term protection need and opportunity, are in the Brisbane Acres subarea, on the slopes of San Bruno Mountain south of the central residential area of the City. This area of 112 approximately one acre parcels, created in the 1930's, is constrained by steep slopes, lack of established road right-of-ways, and unavailability of water service and sewer lines. Nonetheless, over the years approximately 20 of the original parcels in the least constrained locations have been developed with an estimated 50 dwelling units, and efforts to develop continue, often based on aggressive engineering solutions.

The Brisbane Acres subarea contains the highest concentration of valued resources in the City. Thirteen parcels of approximately one acre each have already been acquired by the City for protection as open space. On the remaining undeveloped parcels, significant resource lands occur adjacent to county parklands, and in areas that contain intact native plant communities and habitat for endangered butterflies and for rare plants. Four significant watercourses cross the subarea, including three locations where seasonal or semi-permanent wetlands occur. Important resource lands may also contain potential trail corridors linking the city to public parklands. For the most part, areas that the Committee did not feel worthy of preservation efforts occur near to existing residential sections of Brisbane and often are highly degraded as a result of human and/or natural disturbance.

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Strategies for protection of lands in the Brisbane Acres subarea include:

- a. Continue to encourage land donations to the City, which can provide significant tax write-offs to the landowner;
- b. Continue efforts by the City to negotiate willing-seller purchases on a fair market or “bargain sale” basis (in which case the owner may obtain partial tax credits), using funds potentially available through grant programs;
- c. Continue to actively seek state, federal, and private grants for acquisition of parcels with high resource values;
- d. Utilize the open space acquisition fund set aside from City general funds (\$50,000 starting in 1997, to increase by 10% of that amount each year, per Resolution 99-01) as matching funds for grants, or in critical cases, to directly purchase open space;
- e. Work in conjunction with the Habitat Conservation Plan (HCP) operators to preserve critical butterfly habitat, to implement the 40% conserved habitat required by the HCP;
- f. Revise the zoning ordinance to establish stream setbacks to protect riparian vegetation and avoid erosion and increased runoff;
- g. Encourage use of the city’s Density Transfer Ordinance (explained in Section IIIA) to allow property owners in the Brisbane Acres subarea to sell or transfer development rights to property owners/parcels in areas of the city that are not constrained for development;
- h. Review development proposals for parcels within the Brisbane Acres subarea for the presence of significant open space resources identified in this study, and guide development plans to protect those resources;
- i. Require dedication of open space easements to protect critical resources on parcels that are granted development approvals, and;
- j. Purchase or accept conservation easements over all, or a portion of properties. This is a secondary strategy because a private party would continue to own an interest in the property, creating more responsibility for the City to monitor and enforce the terms of the easement. Preferably parcels can be purchased in fee title.

Parcels in the Northwest Bayshore, Sierra Point, Baylands and Beatty subareas are generally less constrained, more developed or disturbed, and have fewer critical open space resources than the Brisbane Acres subarea. However, there are some significant resources, especially wetlands, that should be protected and enhanced, culturally significant features that should be protected, and open spaces, as well as open areas, that may be created or enhanced in conjunction with future development. The following Committee recommendations for these subareas are based on General Plan policies, which are detailed in Section IID of this Plan.

In the Northwest Bayshore subarea, the Committee recommended preservation of upland areas near Guadalupe Canyon Parkway due to their importance as habitat to the endangered Callippe silverspot butterfly. The Committee also recommends preservation

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of an open space habitat corridor from Main Street south to the Brisbane Technology Park. The Committee noted the importance of a restored wetland area in the north end of the subarea. This wetland, owned by PG&E, has been dedicated as a permanent open area.

In the Sierra Point subarea, the Committee recommends protection of an approximately 4 acre parcel owned by the state, which contains tidal wetlands and a shell beach, as well as non-native upland areas. The Committee recommends a cooperative public/private effort to clean up the site and restore the habitat. The Committee also envisions extension of the regional Bay Trail through this area.

The Baylands subarea is primarily an artificial fill plain, which contains portions, such as the Schlage Lock site, the printing plant site, and the railroad yard, that are confirmed to be contaminated with toxic wastes from previous uses. Areas formerly occupied by unregulated landfill operations may potentially have toxic contamination, but this has not yet been confirmed. The subarea is bisected north-south by active railroad tracks. An east-west running drainage channel divides the area into two zones of recommended open space and open area treatments, based on related General Plan policies. The development of the Baylands is subject to the General Plan policy that a minimum of 25% of the land must be in public open space or private open areas. The Committee recommends protection of key open space in the area north of the drainage channel in conjunction with the eventual redevelopment of the property into commercial uses. In particular, portions of “Icehouse Hill”, a natural promontory adjacent to Bayshore Boulevard, should be preserved as open space. The Committee also recommends preservation of an open space area starting on the western edge of the subarea, to the north of Icehouse Hill, and improvement as a “wetland river park” possibly extending to the Bay. The wetland river park would also function as a storm drainage facility. Its creation would be subject to potential limits caused by toxic contamination. The creation of trail connections through these open space areas for regional trails and intra-city trails is also recommended. Also in this area is an old railroad roundhouse building of historic interest that the Committee recommended be preserved in conjunction with future development, through adaptive reuse.

The Committee recommends that the portion of the subarea to the south of the drainage channel have the highest percentage of open space and open areas in the Baylands. One way to achieve that objective would be development for recreational uses, such as a golf course, sports fields or other outdoor uses providing maximum landscaped and open areas. The Lagoon in the southern portion of the subarea contains wetlands valuable as wildlife habitat. The Committee recommends improvement of the informally used area known locally as “Fisherman’s Park”, and preservation as open space of the area between the Lagoon and Lagoon Way. The Committee also recommends development of a perimeter trail around the Lagoon, to connect to the local and regional trail system.

The Beatty subarea, on the northeastern edge of the city, has only one open parcel of about a half acre to the east of U.S. 101. The Committee recommends that the open

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space values of this private parcel be preserved as much as possible. While the bulk of the subarea is already developed with heavy commercial uses, the Committee recommends consideration of better open areas and easements for regional trail connections as the opportunities become available.

An overall objective in these subareas is the establishment of routes for the regional Bay Trail, local internal trails, and trails connecting west to central Brisbane and on to San Bruno Mountain Park and the Bay Area Ridge Trail.

Strategy for the preservation, creation, and restoration of open space in the Northwest Bayshore, Sierra Point, Baylands and Beatty subareas is tied to the plan review process for the eventual development of these private properties, except for the potential cooperative project on the state-owned parcel in the Sierra Point subarea. Through the development entitlement process, public open space and private open areas can be secured that will benefit the property owners directly or indirectly through increased property values, and benefit local and regional residents through a protected and improved environment.

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I. Introduction and Study Objectives

A. Introduction

Situated just south of the City of San Francisco and nestled between two significant natural features – San Bruno Mountain and San Francisco Bay – Brisbane’s topography, scenic views, and open lands and water define its character.

Like an enormous island rising above a sea of urbanization, San Bruno Mountain dominates the landscape of northern San Mateo County. Despite its urban setting, the mountain remains surprisingly untamed, providing a good indication of what the Peninsula must have looked like to early Spanish explorers.

Brisbane, City of the Stars, the First 25 years

While approximately one million people live within a ten-mile radius of San Bruno Mountain, Brisbane provides access to open space and recreational opportunities unique to the San Francisco Bay Area. Brisbane and its environs contain a number of exceptional natural and cultural amenities – habitat for rare and endangered plants and animals, including three species of endangered butterflies, Native American archaeological sites, and aquatic resources, most notably San Francisco Bay, Brisbane Lagoon and associated marshlands. This setting contributes to making Brisbane a desirable place to live, work, and play.



Brisbane Lagoon from the flank of San Bruno Mountain. Photo: Raphael Bienes

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Brisbane residents have extensive opportunities for contact with nature and are typically drawn to the city for its open, natural surroundings. The city adjoins San Bruno Mountain State and County Park, a 2,700-acre reserve. While this area is primarily reserved for conservation and natural resource management, it offers numerous recreational opportunities. Many who presently live in Brisbane have a strong sense of place and are committed to land stewardship. From the early residents who came to what is now Brisbane in 1908 after the San Francisco earthquake and during the Great Depression, through the time of incorporation in 1961 to today, Brisbane residents have taken many steps to protect the city's natural resources, improve the community's quality of life and preserve Brisbane's intimate small-town feel.

Brisbane's history and character are intertwined with the Bay and San Bruno Mountain, and efforts to use and develop them. A strong commitment to conservation is part of the tradition of the community. While the City of Brisbane currently meets or exceeds the National Recreation and Parks Association's standards for developed parks and open space for residential populations, based on acreage per 1,000 population, comprehensive surveys done in preparation of the 1994 General Plan found that residents desire additional open space. The city's undeveloped lands with strong potential for open space are fragmented and in jeopardy of disappearing. Additional actions are needed to preserve prominent ridgelines, significant viewsheds and natural watercourses. Habitat, wildlife migration and trail corridors should be developed and linked, and public access to and around San Bruno Mountain and Brisbane Lagoon improved. Conservation efforts have been underway in Brisbane for many years. The establishment of the Brisbane Open Space & Ecology Committee (Committee) and the creation of this plan grew out of a tradition to preserve and enhance the community's natural and open space resources.

B. Definition of Open Space/Open Areas

Section 65560 *et seq.* of Title 7 of the California Government Code defines open space as any parcel of land or water that is essentially unimproved and devoted to an open-space use for the purposes of (1) the preservation of natural resources, (2) the managed production of resources, (3) outdoor recreation, or (4) public health and safety. According to the 1994 Brisbane General Plan, the term "open space" describes lands that are in public ownership and essentially unimproved and dedicated or proposed to be dedicated to the public for outdoor recreation and/or conservation purposes.

In contrast to open space, the General Plan, on page 86, defines the term "open area" as "parcels of land or portions thereof, primarily in private ownership, that serve to soften the impacts of urban development and otherwise provide primarily green areas and a feeling of 'openness' to the development pattern." Typical open areas include, but are not limited to, setbacks and easements that are landscaped or characterized by vegetation. Open areas might also include private parks and recreation areas within private developments. According to the General Plan, an open area may consist of a combination of hardscape and landscape, such as a plaza. Streets, conventional

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sidewalks, parking lots and similar improvements function as circulation facilities, and do not qualify as open areas.

This Open Space Plan contains recommendations that pertain to both “open space” preservation, and the creation and design of “open areas” in conjunction with development.

In addition to the existing parks, recreational and open space resources outlined in Table III-1 in Section IIIC, many acres of vacant lands remain in Brisbane, which for the most part are private property. Along with San Bruno Mountain Park and the Bay, these lands define the town’s current open space character. While there are state and national standards for the desirable acreage of developed parks, there are no such standards for how many acres of open space a community should have. Throughout the state, nation, and world, communities are recognizing the critical importance of protecting major natural features, such as San Bruno Mountain, and preserving nearby land that provides physical and psychological connection from the community to the environment. The Brisbane General Plan establishes standards for park types and acreages, as well as conservation, or protection of natural and cultural resources, on page 114. The standard is 66 acres per 1,000 population, which reflects the existing Northeast Ridge open space dedication plus conservation of 40% of the Brisbane Acres property, as stipulated in the San Bruno Mountain HCP. This Open Space Plan recommends preservation of open space areas that would ultimately exceed this standard.

This plan inventories the amenities of open lands in Brisbane and is intended to ensure that existing open space resources are protected, and new open areas are created as part of future development in a manner consistent with the rights of private property owners. This document is not a land use regulation, but strictly a planning tool intended to identify important resource lands and development planning opportunities. In today’s fiscal climate with few funding sources available to local governments to preserve lands for recreation and open space, it is particularly important to identify and evaluate important resource lands. Inventorying and prioritizing natural resources is a key component in establishing a strategic plan to meet the objectives of the City’s Open Space Plan.

C. Benefits of Open Space

The high quality of life Brisbane residents enjoy is due, in large part, to the abundant and diverse natural and open space areas within and adjoining the city. Open space lands perform a variety of functions beneficial to a community including the provision of recreational areas and the preservation of natural resources. Increasingly, many communities are realizing that conserving open space also supports economic well-being. Below, some of the benefits of open space conservation are described:

- Preservation of natural resources – open space conservation safeguards water quality, cleans the air, and protects wildlife habitat and other natural resources

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of significant economic and biological value. For Brisbane, land conservation protects lands that do much to create its distinctive character.

- Outdoor recreation – open space conservation provides outdoor educational and leisure/recreational opportunities, serves as links between open spaces, and maintains valuable scenic, cultural and historic resources.
- Personal benefits – open space lands often have important personal meaning to users, and provide relief from the noise, pressures, and congestion of everyday urban life.
- Public health and safety – conserving open space reduces risks associated with development within hazardous and sensitive areas such as earthquake fault zones, unstable soil areas, floodplains, watersheds, and high fire risk areas.
- Moderating climate – open space lands, particularly forests and bodies of water such as San Francisco Bay, play an important role in moderating local fluctuations in temperature and humidity.
- Economic benefits – parks and open space create a high quality of life that enhances the business climate by attracting investors, tax-paying businesses, and talented employees and residents.
- Orderly development patterns – preserving open space defines urban form and helps communities grow in a contiguous, compact and orderly pattern, preventing the higher costs of unplanned development. Focusing urban growth also provides residents with an increased sense of community identity. Additionally, open space provides buffers between incompatible land uses.

D. Brisbane Open Space & Ecology Committee

Program 93k of the Open Space Element of the 1994 Brisbane General Plan reads, “Consider establishing an environmental commission of local citizens to help advise City Council on open space acquisition and environmental matters in general.” The City Council, at its August 24, 1998 meeting, approved the formation of a 7-member Open Space & Ecology Committee for an initial two-year period. Committee members serve in an advisory capacity to the City Council and are appointed for two-year terms.

The Open Space and Ecology Committee is composed of two City Council members, one Planning Commissioner, and one Park, Beaches and Recreation Commissioner, each selected by their respective membership, as well as three public members who are appointed by the City Council based on applications solicited from the community. A City staff member also serves as an ex officio member of the Committee. A list of the Committee membership appears at the beginning of this document.

The primary responsibility of the Committee is to make recommendations to the City Council on the implementation of relevant programs and policies of the Open Space and Conservation Elements as well as the sustainability parts of the local Economic Development chapter of the General Plan.

The first priority of the Committee is the preparation of a recommended open space plan.

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E. Objectives of the Open Space Plan

This open space plan is intended to be a practical, comprehensive inventory and evaluation of the city's open space resources, including recommended preservation strategies. The mission statement for the open space plan is as follows:

1. To plan for the provision of open space and natural resources for Brisbane residents.
2. To identify and seek methods to protect, restore, and enhance natural habitats and connecting corridors, watercourses, scenic areas, and other significant open space resources.
3. To recommend strategies to improve public access to and around San Bruno Mountain and Brisbane Lagoon while paying attention to habitat protection.

This plan is the product of a two-year long effort by the Brisbane Open Space & Ecology Committee. The 7-member Committee identified, evaluated and analyzed open space resources within the jurisdictional boundaries of the City of Brisbane. Committee members, city staff, interested citizens, and numerous guests invited to Committee meetings contributed to the ideas and recommendations in this plan. The principal resource upon which the Committee based its decisions was a thorough inventory of open space resources of the undeveloped areas of the city. The inventory was documented in background reports conducted by staff. These reports are included in Volume II of this plan.

The work program of the Committee consists of the following main components:

- Identify and prioritize significant natural and open space resources within the City of Brisbane;
- Conduct a thorough inventory of existing open space resources;
- Prepare a map identifying existing open space resources and highlight important resource lands;
- Identify means for preserving and acquiring open space areas;
- Develop recommendations for the City Council to adopt and implement an overall open space land preservation program.

The recommended land preservation techniques detailed in Section IV of this plan provide a long-range framework to protect Brisbane's valuable open space resources. The overall program emphasizes inter-jurisdictional cooperation, public and private sector participation, and contains a mixture of acquisition, planning, regulatory, and development techniques.

F. Relationship to the General Plan

California Government Code Section 65300 requires that all California cities and counties adopt "a comprehensive, long-term general plan for the physical development of

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the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning." A general plan is a long-range statement of goals, objectives and policies relative to land use and growth; it is a blueprint for future growth.

State law requires that each general plan contain at least these seven specific elements: land use, circulation, housing, conservation, open space, noise and safety. These elements must be interrelated and internally consistent. The open space element guides the comprehensive and long-range preservation and conservation of open-space lands and must contain a plan which inventories (including the preparation of a map) all open space property, whether privately or publicly owned (Government Code Section 65563 *et seq.*). Government Code Section 65564 states that every local open space plan must contain an action program consisting of specific programs the city intends to pursue in implementing its open space plan. This document fulfills this mandate.

It is intended that this Open Space Plan will aid the City Council in implementing selected programs and policies of Brisbane's 1994 General Plan; appropriate access to and preservation of open space is part of General Plan policy. General Plan policies and programs from the Open Space, Conservation and Land Use Elements, and corresponding subarea policies as well as the Local Economic Development Element were used to guide the Committee's recommendations (see Section IIIA).

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II. Open Space Resource Evaluation and Priorities

Identifying and prioritizing natural resources and open space needs and opportunities is a crucial component in establishing a strategic approach to creating an open space system in the City of Brisbane. The first step in the process of developing an Open Space Plan was to determine how to geographically organize the evaluation of natural resources.

A. Study Areas (Subareas)

Potential resource lands were evaluated in five study areas or subareas (see Figure 1), consistent with subareas defined in the 1994 Brisbane General Plan. The subareas evaluated include the Brisbane Acres, Sierra Point, Northwest Bayshore, Baylands and the Beatty subarea. A sixth subarea, the Northeast Ridge, was not evaluated because its development and open space areas are already approved and partly implemented. It is described and mapped for informational purposes. The Quarry was not evaluated because it is outside the Brisbane city limits, though within the City's sphere of influence.

B. Open Space Evaluation Criteria and Methods

The Open Space and Ecology Committee and City staff created a comprehensive checklist of criteria for the evaluation of the natural resources occurring in undeveloped areas within the city. One resource checklist was created for the Brisbane Acres subarea and another, having somewhat different criteria, was prepared for the rest of the subareas. The methodology for identification of open space values in the Brisbane Acres subarea was different from the other subareas because Brisbane Acres has more natural resources, varied topography, is more contiguous to San Bruno Mountain Park, and has relatively small parcel sizes.

The evaluation of resources conducted for this Open Space Plan was general in nature and is not intended to be the basis for evaluation of environmental impacts under the California Environmental Quality Act (CEQA) or to establish specific constraints or opportunities for development. Specific development feasibility is determined through the city development application and review process as established by the General Plan, zoning and subdivision ordinances, and building codes. The Open Space Plan is intended to be a guide for the city and for property owners to areas for which the city may wish to pursue preservation on a willing owner/seller basis.

In the analysis of open space resources, individual assessor parcels were referenced, particularly in the Brisbane Acres subarea. Resources were recorded on a parcel-specific basis in locations that consisted of relatively small parcels. The basis of the parcel-specific priorities was natural resources and recreational opportunities derived from evaluation of physical conditions and General Plan policies, rather than factors of ownership or property configuration. Since parcels and land ownership patterns tend to

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be much larger outside the Brisbane Acres subarea, resources in the other subareas were generally not referenced to assessor's parcels, but were identified based on geography or other physical attributes of the land.

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Figure 1 - Open Space Study Subareas

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1. Criteria for Brisbane Acres Subarea

The Committee considered the Brisbane Acres subarea a unique region from the other subareas because of the area's similar land use history, physical conditions and distinctive natural resources. Nine general open space and natural resource criteria were considered in evaluating the natural resources within the subarea:

- **Location:** the physical setting of the land – its watershed and subarea location, and relationship to the HCP, public infrastructure and surrounding lands.
- **Landform:** the geologic setting of the land, including topography, slope, aspect, soils, and hazards like earthquakes, landslides and debris flows.
- **Natural Habitat:** the biologic setting of the land, particularly vegetation communities, wildlife habitat and hydrology.
- **Significant disturbance:** naturally occurring and human-caused hazards/disturbance as well as fire risks and exotic plant infestation.
- **Public access:** the land's accessibility to the public.
- **Scenic and aesthetic conditions:** the quality of views from and of the land, its relationship to the central Brisbane viewshed (visibility from the post office on Old County Road), its orientation, and its attractiveness and overall visual quality.
- **Cultural significance:** the social value of the land in terms of its role as an historic, educational or cultural area.
- **Recreational potential:** the potential for active and/or passive recreational opportunities.
- **Trail use:** the type of existing trails and trail potential of the land and its ability to provide connections between open spaces and links to local and/or regional trail systems.

The criteria checklist provided the Committee a means to distill large amounts of information by separating data into manageable categories, articulating common conditions, and highlighting unique and/or significant natural resources. Upon completion of the field research and reports for the Brisbane Acres subarea, the Committee and staff developed a database model to assist in managing the relevant information about the open space and natural resources occurring in the subarea (see Table II-1). The database made it possible to sift through large amounts of information and identify lands containing the most important open space resources. The database was set up with nine fields, one for each of the criteria that were identified by the Committee as most important for their analysis. Each parcel studied in the subarea was set up as a record within the database. The nine identified criteria used as fields in the database are listed below (not in order of importance):

1. Contiguous with San Bruno Mountain State and County Park

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2. Adjoins developed parcels on more than one side
3. Potential trail corridors and access points
4. Contains intact native vegetation
5. Contains endangered butterfly habitat
6. Contains permanent or semi-permanent wetlands
7. Forms a portion of a significant ridgeline
8. Forms a portion of a significant watercourse
9. Falls within the central Brisbane viewshed

Lands possessing these attributes, except the criterion “adjoins developed lands on more than one side,” were given a “yes” in that respective database field. This model enabled the user of the database to create lists of those lands that contain one or more of these attributes.

After review of the results of several preliminary analyses, the Committee felt it was necessary to select a smaller number of criteria to work with from among the original nine. The Committee selected the following criteria as most important:

1. Contiguous with San Bruno Mountain State and County Park
 2. Contains intact native vegetation
 3. Contains endangered butterfly habitat
 4. Contains permanent or semi-permanent wetlands
 5. Forms a portion of a significant watercourse
 6. Adjoins developed parcels on more than one side
- (The sixth significant criterion is a “negative” factor: its presence makes a parcel less desirable as open space)

The Committee felt that parcels containing one or more of these criteria merited consideration for preservation efforts. Generally, parcels that have more open space resources on them are more desirable for preservation efforts by the city. Criterion 9 – Falls within the central Brisbane viewshed – was found to be too broad applying to parcels that had no other real open space values. Criteria 4 and 7, regarding potential trail corridors and ridgelines, were felt to be significant but the Committee felt that protection of these attributes could be achieved without preserving the entire parcel, i.e. that the trail corridor or ridgeline did not characterize the majority of the parcel. Regardless, the Committee felt that potential trail corridors and ridgelines were very important and should be protected by means other than preservation of the entire parcel. Preservation strategies and options will be discussed in Section IV of this report. Figure 6 shows the areas in the Brisbane Acres that contain valuable open space resources worthy of preservation.

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2. Sierra Point, Northwest Bayshore, Baylands and Beatty Subareas

It should be noted that open space areas within the Brisbane Acres subarea were evaluated first and upon their completion, the Committee refined the criteria checklist to better suit the conditions of the other four subareas. While the Northwest Bayshore subarea contains land with some similarities to the Brisbane Acres subarea, such as steep slopes and endangered butterfly habitat, the Sierra Point, Baylands and Beatty subareas are generally fill areas with current or previous development and disturbance. All four subareas (including the Northwest Bayshore) have been, or are expected to be, developed with planned commercial, retail, office or light industrial uses at some point as part of large-scale projects. The most significant change to the checklist used to survey lands within the latter study areas was the addition of the criterion “hazardous contamination.”

General Plan policy guided the Committee’s determination of which natural resources to evaluate in the Brisbane Acres subarea, and helped evaluate resources within the Sierra Point, Northwest Bayshore, Baylands and Beatty subareas. The General Plan guides policies on a city-wide basis but also contains specific policies and programs which apply to each of the city’s subareas. The General Plan identified and established policies for many of the resources that were identified as critical by the Committee.. For example, Policy 348 of the Baylands subarea states, “enhance the natural landform and biotic values of Icehouse Hill and preserve its ability to visually screen the Tank Farm.” This policy helped form the Committee’s conclusions for this area.

In addition to the General Plan, the San Bruno Mountain Habitat Conservation Plan guided the Committee’s evaluation of and recommendations for the area’s open space resources.

C. Information Sources

In addition to the field observations gathered during site visits, information regarding the region’s history, physical characteristics and natural resources was obtained from a number of readily available sources including, but not limited to, the 1994 Brisbane General Plan and its numerous background reports; U.S. Geographic Survey topographic and slope maps; the *San Bruno Mountain Area Habitat Conservation Plan* and associated *Annual Activities Reports* prepared by Thomas Reid Associates, habitat consultant to the San Bruno Mountain HCP operator; *A Flora of the San Bruno Mountains*, by Elizabeth McClintock *et al.*; historical property files from the Brisbane Planning and Community Development Department and the Public Works Department; various environmental impact reports; and personal conversations with citizens and city staff. A complete bibliography is provided in Section IIIE.

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D. Subarea Resource Evaluations

An overview of the geography, zoning, physical characteristics and development history of each of the subareas precedes the evaluation conclusions.

1. Brisbane Acres Subarea

a. Conditions:

The Brisbane Acres subarea is located immediately south and east of central Brisbane on the steep upper slopes of San Bruno Mountain, and along the town's eastern side roughly parallels Bayshore Boulevard (see Figure 2). The area comprises approximately 138 acres and is currently zoned R-1-20,000, one residential unit per 20,000 square feet of land area (2.178 residential units per developable acre). During the 1930's, the Brisbane Acres subarea was divided into 112 numbered parcels, typically an acre in size, which were subsequently sold to individual owners by metes and bounds descriptions. No subdivision map for this area was ever recorded, and no streets or utilities were installed to provide service to the area.



Upper Brisbane Acres Subarea. Photo: Raphael Bienes

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Figure 2 - Overview Brisbane Acres Subarea

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Steep slopes, often well over 40 percent in grade, characterize much of the Brisbane Acres subarea. Topography varies and includes open hillsides and deep canyons, which carry seasonal streams. The area affords panoramic views of the surrounding Bay Area region and offers passive and active recreational opportunities on various informal trails which link central Brisbane with San Bruno Mountain State and County Park.

Vegetation consists of open grasslands, coastal scrub, invasive shrubs, non-native eucalyptus and acacia woodland, and coast live oak woodland, which generally occurs on north-facing slopes in moist ravines. The Brisbane Acres subarea includes habitat for the Pacific tree frog and rare and endangered species, including two endangered butterfly species: the Mission blue, and the Callippe silverspot. The Callippe is a “hilltopping” species; males “patrol” hilltops searching for mates and females instinctively fly uphill to mate and downhill to lay eggs. The importance of hilltops and ridgelines is vital. These upland areas contain significant amounts of California golden violet, *Viola pendunculata*, the Callippe’s larval host plant, and Lupine, *Lupinus spp.*, the larval food (host) plant for the Mission blue. A third endangered butterfly species, the San Bruno elfin, uses a native succulent, Stonecrop, as a host plant. This habitat is not apparently present in the Brisbane Acres subarea. Rare plants include *Collinsia franciscana* and *Helianthella castanea*. The Brisbane Acres subarea lies within the jurisdiction of the San Bruno Mountain Habitat Conservation Plan, which specifies that if the subarea develops, at least 40% of the land must be conserved as endangered species habitat.



Costanos Canyon, Brisbane Acres. Photo: Raphael Bienes

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b. Conclusions:

The Brisbane Acres subarea contains the highest concentration of valued resources in the City. Thirteen parcels of approximately one acre each have already been acquired by the City for protection as open space. On the remaining undeveloped parcels, significant resource lands occur adjacent to county parklands, and in areas that contain intact native plant communities and habitat for endangered butterflies and for rare plants. Four significant watercourses cross the subarea, including three locations where seasonal or semi-permanent wetlands occur. Important resource lands may also contain potential trail corridors linking the city to public parklands. For the most part, areas that the Committee did not feel worthy of preservation efforts occur near to existing residential sections of Brisbane and often are highly degraded as a result of human and/or natural disturbance. Figures 3, 4, 5 and 6 show areas in the Brisbane Acres subarea containing valuable open space resources. The Committee concluded the following in reference to its key criteria.

Adjoins Developed Parcels on More Than One Side. Parcels not adjacent to development or only adjacent on one side were considered to have important open space character which made them desirable for open space preservation.

Contiguous to San Bruno Mountain Park. Thirty two parcels along the eastern and southern boundary of the subarea are contiguous to San Bruno Mountain State and County Park (see Figure 2), including 13 approximately one-acre parcels) and one smaller parcel (71A), which are already owned by the city.

Intact Native Vegetation. Most of the parcels in the southern portion of the subarea include intact native vegetation. The most significant native trees and shrubs occur along the north-facing ravines. Only the parcels along the ridgeline extending north, parallel to Bayshore Boulevard, feature little native vegetation, having been planted with or invaded by non-native eucalyptus, acacia, broom, and other species. Due to its complexity, native vegetation is not mapped, but is reflected in the Priorities Composite, Table II-1, and recorded in the background reports.

Significant Watercourses. Four significant watercourses/watersheds occur in the subarea; three draining to the north, and one draining to the south (see Fig. 3):

- Costanos Canyon creek crosses four parcels on the west edge of the subarea;
- Firth Canyon creek has two branches in the central portion of the subarea, crossing eight parcels, of which two are already owned by the city;
- Bayshore Canyon creek, on the east side of the subarea, crosses seven parcels;
- South Slope Canyon creek crosses two parcels in the southern tip of the subarea before entering San Bruno Mountain Park.

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Wetlands. Four parcels located on watercourses feature semi-permanent wetlands (springs and seeps).

Endangered Butterfly Habitat. 49 parcels contain documented endangered butterfly habitat (see Figure 4). This includes eleven parcels already owned by the city, and two developed parcels. The habitat area boundaries are approximated based on ridgelines and grassland areas, consistent with documented sightings of Mission blue and Callippe silverspot butterflies over an eight year period and mapping of specimens of the California golden violet, and Lupine species; the host plants for the endangered Callippe silverspot and Mission blue butterflies. While Figure 4 shows areas of documented habitat, all portions of the Brisbane Acres subarea are in the HCP and considered to be potential endangered butterfly habitat.

Potential Trail Corridors.

Important resource lands may also contain potential trail corridors linking the city to public parklands. Existing and potential trails are important considerations in planning for future open space protection and management. They are mapped for informational purposes on Figure 5.

Table II-1 presents an overall database of significant resources in the Brisbane Acres subarea.

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Figure 3 - Brisbane Acres Watercourses and Wetlands

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Figure 4 - Brisbane Acres Butterfly Habitat/Ridgelines

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Figure 5 - Brisbane Acres Potential Trail Corridors

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Figure 6 presents a composite of the parcels with one or more priority resources, while Table II-1 presents a database of the key and secondary resource criteria by parcel. Parcels with existing development are not included in these priorities.

Resources such as watercourses and ridgelines also occur outside of the designated significant resource lands; lower portions of the largest canyons are already publicly owned (see Appendix I for a list of existing parks and open space in the city). For the most part, areas that the Committee did not feel worthy of preservation efforts occur near to existing residential sections of Brisbane and often are highly degraded as a result of human disturbance and/or invasive non-native plants.

The Committee's recommendations regarding the Brisbane Acres subarea were guided by its charge from the City Council and many General Plan policies and programs. Policy 81 in the Open Space Element set the overall context. It states that, "The City shall conduct an on-going effort to identify sites or portions of sites having particular value as open space, wildlife habitat, wetlands, or other environmental qualities that should be preserved and protected." Policy 82 refers to the "preservation, conservation and restoration of open space to retain existing biotic communities, including rare and endangered species habitat, wetlands, watercourses and woodlands." Policy 83 explicitly refers to the Brisbane Acres in this regard. Program 83c references preserving "open space on San Bruno Mountain." Programs 83d, 84f and 93d call for an annual open space report, 83d on "opportunities for open space acquisition," especially on San Bruno Mountain. Program 93h asks for an annual open space map. Policy 90 calls for the City to "aggressively seek opportunities to preserve open space." Policy 92 stipulates that the City should, "Follow the priorities indicated by citizens in the General Plan survey for the acquisition of open space for preservation of natural areas and recreational potential." Retaining open space in the Brisbane Acres was the citizens' top priority. Policy 121 commits the City to supporting "efforts to acquire additional rare and endangered species habitat and enlarge San Bruno Mountain State and County Park." Program 123b states a request, namely, "that the HCP Operator study the Brisbane Acres to determine whether there is the potential to meet the 40% requirement for conserved habitat by dedication of large areas of land rather than small portions of parcels." Program 245d instructs the City to "Map the canyons, intermittent streambeds and banks in the Brisbane Acres and designate such areas for protection." Program 86a says that the City should, "Develop and maintain a network of trails and pathways throughout the City to provide appropriate access to open space and to link City trails with County and regional trail systems;" and Program 245c makes it specific to the Brisbane Acres. All of the above mentioned policies and programs of the 1994 General Plan are fully listed in Section III.A. of this document.

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Figure 6 - Brisbane Acres Priorities Composite

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Table II-1 – Brisbane Acres Resources Database

Lot #	Contiguous with County Park	Developed Lots on More Than 1 Side	Potential Trail Corridor	Contains Intact Native Vegetation	Contains Endangered Butterfly Habitat	Contains Permanent or Semi-Permanent Wetlands	Forms Portion of a Significant Ridgeline	Forms Portion of a Significant Watercourse	Falls Within the Central Brisbane Viewshed
2	no	yes	no	no	no	no	yes	no	no
3	no	no	no	no	no	no	yes	no	no
4	no	yes	no	no	no	no	yes	no	no
5, parcel B	no	yes	no	no	no	no	yes	no	no
6	no	no	no	no	no	no	no	no	no
7	no	no	no	no	no	no	no	no	no
9	no	yes	no	no	no	no	no	no	no
10	no	yes	no	no	no	no	no	no	no
12	no	yes	no	no	no	no	no	no	no
14, parcel B	no	yes	no	no	no	no	no	no	no
15, parcel 1	no	yes	no	no	no	no	no	no	no
Portion of 16	no	yes	no	no	no	no	no	no	no
18	no	yes	no	no	no	no	no	no	no
Portion of 19	no	yes	no	no	no	no	no	no	no
20	no	yes	no	yes	no	no	no	yes	no
22	no	no	no	yes	no	no	no	no	no
23	no	no	no	yes	no	no	no	no	no
24	no	no	no	no	no	no	no	no	no
25	no	no	no	no	no	no	no	no	no
26	no	yes	no	yes	yes	no	yes	no	no
27	no	no	no	yes	yes	no	no	no	no
28, parcel 1	no	no	no	yes	yes	no	yes	no	no
29, parcel 1	no	no	no	yes	no	no	no	no	no
29, parcel 2	no	no	no	yes	no	no	no	no	no
30 (<i>City</i>)	<i>no</i>	<i>yes</i>	<i>no</i>	<i>yes</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>
34	no	yes	yes	no	no	no	yes	no	no
35	no	yes	yes	yes	yes	no	yes	no	yes
36	no	no	yes	yes	yes	no	yes	no	no
37	no	no	yes	yes	yes	no	no	no	no
38 (<i>City</i>)	<i>no</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>
39 (<i>City</i>)	<i>no</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>yes</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>
40	no	no	no	yes	yes	no	yes	no	no
41	yes	no	yes	yes	yes	no	yes	no	no
42	yes	no	no	yes	yes	no	no	no	no
43	yes	no	no	yes	yes	yes	no	yes	no
44 (<i>City</i>)	<i>yes</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>yes</i>	<i>yes</i>	<i>no</i>	<i>yes</i>	<i>no</i>
45 (<i>City</i>)	<i>yes</i>	<i>no</i>	<i>yes</i>	<i>yes</i>	<i>yes</i>	<i>no</i>	<i>yes</i>	<i>yes</i>	<i>no</i>

Note: Parcels in italics are City owned. Developed parcels are not prioritized.

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Table II-1 – Brisbane Acres Resources Database (continued)

Lot #	Contiguous with County Park	Developed Lots on More Than 1 Side	Potential Trail Corridor	Contains Intact Native Vegetation	Contains Endangered Butterfly Habitat	Contains Permanent or Semi-Permanent Wetlands	Forms Portion of a Significant Ridgeline	Forms Portion of a Significant Watercourse	Falls Within the Central Brisbane Viewshed
46 (<i>City</i>)	yes	no	yes	yes	yes	no	yes	yes	no
47	no	no	yes	yes	yes	no	yes	no	no
48	no	no	yes	yes	yes	no	yes	no	no
49	no	no	no	yes	yes	no	no	no	no
50 (<i>City</i>)	yes	no	no	yes	yes	no	no	yes	no
51	yes	no	yes	yes	yes	no	no	no	no
52	yes	no	yes	yes	yes	no	no	no	no
53	yes	no	yes	yes	yes	no	yes	no	no
54	yes	no	yes	yes	yes	no	yes	no	yes
55	yes	no	no	yes	yes	no	no	no	yes
56	yes	no	no	yes	yes	no	no	no	yes
57	yes	no	no	yes	yes	no	no	no	yes
58	yes	no	no	yes	yes	no	no	yes	no
59	yes	no	no	yes	yes	no	no	no	no
60 (<i>City</i>)	yes	no	no	yes	yes	no	no	no	yes
61 (<i>City</i>)	no	no	no	yes	no	no	no	yes	no
62 (<i>City</i>)	no	no	yes	no	yes	no	yes	no	yes
63 (<i>City</i>)	no	no	yes	no	no	no	no	no	yes
64	no	no	no	no	no	no	no	no	yes
65	no	no	no	yes	no	no	no	no	yes
66	no	no	no	yes	no	no	no	no	yes
67	no	no	no	yes	yes	no	no	no	yes
68	no	no	yes	yes	yes	no	yes	no	yes
69 (<i>City</i>)	yes	no	no	yes	yes	no	no	yes	yes
70	yes	no	yes	yes	yes	no	yes	yes	yes
71 (<i>City</i>)	no	no	no	yes	yes	no	yes	no	yes
71A (<i>City</i>)	yes	no	yes	yes	yes	no	yes	no	yes
72	yes	no	yes	yes	yes	no	yes	no	yes
73	yes	no	no	yes	yes	no	no	no	yes
74	yes	no	no	yes	no	no	no	no	yes
75, parcel A	yes	no	no	yes	yes	no	no	no	yes
75	yes	no	no	yes	no	no	no	no	yes
76	yes	no	no	yes	yes	no	no	yes	yes
77	yes	no	no	yes	yes	no	no	no	yes
78	yes	yes	yes	yes	yes	no	yes	no	yes
79	yes	no	yes	yes	no	no	yes	no	yes

Note: Parcels in italics are City owned. Developed parcels are not prioritized

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Table II-1 – Brisbane Acres Resources Database (continued)

Lot #	Contiguous with County Park	Developed Lots on More Than 1 Side	Potential Trail Corridor	Contains Intact Native Vegetation	Contains Endangered Butterfly Habitat	Contains Permanent or Semi-Permanent Wetlands	Forms Portion of a Significant Ridgeline	Forms Portion of a Significant Watercourse	Falls Within the Central Brisbane Viewshed
82	no	no	no	yes	no	no	no	yes	yes
83	no	no	no	yes	no	no	no	yes	yes
84, parcel A	no	yes	no	no	no	no	no	no	yes
85	no	no	no	yes	no	yes	no	yes	yes
86	no	no	no	yes	no	no	no	no	yes
87	no	yes	no	no	no	no	no	no	yes
89	no	yes	no	no	no	no	no	no	yes
90	no	yes	yes	no	no	no	yes	no	yes
91	no	yes	yes	no	yes	no	no	no	yes
94	no	no	no	no	yes	yes	no	yes	no
<i>94A (City)</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>no</i>
96	no	no	no	yes	no	no	no	yes	no
97	no	no	yes	yes	no	no	no	no	no
98	no	no	yes	no	no	no	no	no	no
100	no	no	yes	yes	yes	no	yes	no	yes
101	no	no	yes	yes	yes	no	yes	no	no
102	yes	no	yes	yes	yes	no	yes	no	no
103	yes	no	no	yes	yes	no	no	no	no
104	no	no	yes	no	no	no	yes	no	no
105	no	no	yes	no	no	no	no	no	no
106 & 2 parcels at end of Santa Clara Street	no	yes	no	no	no	no	no	no	no
107	no	yes	no	no	no	no	no	no	no

Note: Parcels in italics are City owned. Developed parcels are not prioritized

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2. Sierra Point Subarea

a. Conditions

This subarea is located at the city's southeastern extreme and consists of a 102 acre office park and a 30 acre municipal marina constructed in the 1980's on an engineered sanitary landfill. The landfill was begun by the San Francisco Scavenger Company in the mid-1960's and completed by 1972. The subarea is subject to very intense ground shaking and liquefaction during earthquakes. There is an extremely remote chance for tsunami run-up on Sierra Point.

There are 15 parcels of land in the subarea, which are generally 5 to 10 acres in size; five parcels are developed with office buildings. The area is designated Sierra Point Commercial/Retail/Office (SPCRO), which is devoted to commercial enterprises, encompassing a variety of uses.



Sierra Point beyond Brisbane Lagoon. Photo: Raphael Bienes

The subarea contains major roads, landscaping, utility lines, and a self-contained storm drainage system. There is no safe and legal pedestrian or bicycle access between the area and central Brisbane. The planned reconstruction of the Tunnel Road overpass should remedy this access problem. Traffic on U.S. Highway 101 generates a noise contour of CNEL 65 dB or more across the subarea within 1,500 feet of the freeway.

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Recreational facilities include the Brisbane Marina, the Sierra Point Yacht Club, Sierra Point Fishing Pier, and a 7+ acre public access trail along the shore of San Francisco Bay, which is landscaped and paved for two-thirds of its length. Associated amenities include public restrooms along the subarea's eastern side, picnic tables and a parcourse at its southeastern corner and benches scattered throughout. This shoreline band trail accesses a wetland area and shell beach at the subarea's northwest corner. Public parking is available near the fishing pier and Harbormaster's building and private parking exists at 7000 Marina Boulevard.

b. Conclusions

Figure 8 shows recommendations for the subareas including Sierra Point. The Committee evaluated one area of land in the Sierra Point subarea for this study, an area, roughly 4.15 acres in size, that occurs in the subarea's northwestern edge. The State Lands Commission and Caltrans currently own the site. The Committee recommends that it remain as open space because it is a valuable aquatic resource that contains tidal wetlands and a shell beach, as well as upland areas with native and non-native vegetation. The Committee recommends that the area, which is currently degraded from years of human disturbance, be properly maintained by the appropriate agencies with the help of volunteer labor from residents and others. The existing shoreline band trail, as described above, accesses this area and there is both public and private parking available nearby. Additionally, the Committee recommends extending the Bay Trail through the entire Baylands subarea, which would improve the pedestrian and bicycle access between Sierra Point and central Brisbane (see Figure 8 and the Baylands subarea section below).

The Committee based its conclusions on General Plan programs and policies applicable to the site. Policy 83 of the General Plan encourages the preservation, conservation, and restoration of open space to retain existing biotic communities. Policy 85 encourages the preservation and conservation of aquatic resources in the city. Policy 86 states that access to natural areas consistent with the nature of the resource be provided. Program 231a advocates pursuing better connections between Sierra Point and central Brisbane including pedestrian/bicycle over-crossing of the railroad tracks. Policy 233 calls for enhancing the recreational opportunities at Sierra Point for Brisbane residents.

3. Northwest Bayshore Subarea

a. Conditions

The Northwest Bayshore subarea comprises roughly 45 acres and is located adjacent to Bayshore Boulevard north of Guadalupe Canyon Parkway. The topography of the subarea is characterized by steep sloping hillsides, particularly in upper elevations, adjacent to Guadalupe Canyon Parkway, and to a lesser extent, along Bayshore Boulevard to the east. Sloped portions of the subarea contain soils subject to slippage and a high-to-very-high rate of erosion, and much of these portions present a moderate-

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to-high risk of seismically induced landslides and for grass fires. Debris flows were experienced during the 1982 storm season.

Existing access to the subarea is limited, as is infrastructure for utilities and storm drainage. Two San Francisco Water Department lines run through the undeveloped portion of the subarea. The area is designated Planned Development-Subregional Commercial/Retail/Office in the 1994 Brisbane General Plan. Subareas designated PD require the preparation of a specific plan and environmental impact report prior to any development of the area. A minimum of 25% of the surface land of a designated PD shall be in open space and/or open area. It is expected, however, that greater than 25% of the surface land of a PD be designated as open space/open area.

Part of the Northwest Bayshore subarea falls within the boundaries of the San Bruno Mountain Habitat Conservation Plan (HCP) and contains habitat for endangered butterflies. The Levinson Estate parcel is designated as an unplanned parcel in the HCP, while the Peking Handicraft site is a planned parcel and has a development site approved in the HCP (see Figure7). A wetland marsh occurs in the northern portion of the subarea, on land recently conveyed to PG&E. The marsh site is bounded on the west and north by PG&E's Martin Service Center, which was the site of a gas manufacturing plant between 1906-1913. Martin Service Center was placed on the State Priority List (State Superfund) in 1985 and Midway Village, including Bayshore Park and Bayshore Childcare Facility, which is located in Daly City just west of the subject property, was cited as a State Superfund site in 1992.



Northwest Bayshore Subarea, Levinson Property. Photo: Raphael Bienes

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b. Conclusions

Figure 7 shows the recommendations for the Northwest Bayshore subarea. The subarea contains both vacant and developed areas; the Committee only inventoried and evaluated resources on vacant areas for this study. Portions of the subarea are within the boundaries of the HCP (having both planned and unplanned parcels) and contain habitat for rare plants and endangered butterflies. The Committee concluded that upland areas of the subarea, adjacent to Guadalupe Canyon Parkway, should be preserved as open space. In a portion that includes a utility corridor owned in fee by PG&E, the Committee recommends that an open, 'green' corridor be preserved from Main Street to the developed Brisbane Technology Park parcel in the south to ensure ecosystem integrity. A wetland marsh in the northern portion of the subarea, owned by PG&E, was recently dedicated, in perpetuity, as open area (see Figure 7).

In general, the Committee proposes that the upland areas of the Northwest Bayshore subarea be maintained as open space or open area. This area contains a high knoll and relatively steep sloping hillsides which are suitable habitat for the endangered Callippe silverspot butterfly. The Callippe silverspot is a "hilltopping" species; males "patrol" hilltops and females instinctively fly uphill to mate and downhill to lay eggs. The importance of hilltops to this species is vital. These upland areas, although highly degraded in sections, contain significant amounts of California golden violet, the Callippe's larval food (host) plant. A small habitat restoration "island" for the endangered Callippe silverspot butterfly was recently created as mitigation under the HCP for a new development on the Brisbane Technology Park parcel in the southern portion of the subarea (see Figure 7).

The HCP guided the Committee's conclusions in this subarea. The HCP requires the preservation of substantial additional habitat in areas currently in private ownership, as a mitigation measure for the impact of new development on endangered species. The HCP may be amended to take the recent listing of the Callippe silverspot butterfly into account. The 1994 Brisbane General Plan also contains programs and policies which guided the Committee's conclusions. The General Plan designates the Northwest Bayshore subarea a Planned Development (PD) and requires that a specific plan and environmental impact report be prepared prior to any development of the property. The policy for subareas designated PD establishes a minimum of 25 percent of the surface land, not including aquatic areas, to be preserved as either open space or open areas.

Policy 310.2 of the 1994 Brisbane General Plan states, "locate development so as to have a 'greenbelt' separation from Daly City." Policy 318 states, "preserve conserved habitat in accordance with the Habitat Conservation Plan." Policy 319.1 recommends that in conjunction with any proposed development on or near the upland slope of the Levinson property, a study be completed of the impacts to the hydrology, plant and wildlife communities of the Mountain, from the marsh to the bay, and that a habitat migration corridor be considered to ensure ecosystem integrity.

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Northwest Bayshore Subarea Evaluation

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Figure 7 – Priority Resources, Northwest Bayshore Subarea

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4. Northeast Ridge Subarea

a. Conditions

Open space resources within this subarea were not inventoried for this project, because it has an approved development plan that provides for open space and open areas as part of the development. This area, however, is described because it contains significant resource lands. The Northeast Ridge subarea is located in the northeast corner of San Bruno Mountain. It is bounded on the south by Crocker Industrial Park, on the north and east by Guadalupe Canyon Parkway and on the west by San Bruno Mountain State and County Park. The subarea has hilly terrain which supports four vegetation types: annual grassland, northern coastal scrub, riparian/wetland and introduced exotics.

The subarea lies within the boundaries of the HCP and contains endangered species habitat. In 1989, the owners of the 228-acre subarea, were granted approval for a planned development of 579 residential units in three neighborhoods. When development is complete, the subarea will contain 135+ acres of conserved habitat (areas held in fee ownership by the county) and 92+ developed acres. The Northeast Ridge development is designed so that land not devoted to housing is kept as conserved habitat, which contains a diversity of habitat types, is contiguous with other conserved habitat areas off the site, and contains corridors between larger conserved habitat within the site. Though it will not be owned and maintained by the city, this open space will be part of the permanent open space system within Brisbane.

5. Baylands Subarea

a. Conditions

Northeast of central Brisbane, sandwiched between Bayshore Boulevard and U.S. Highway 101, is the Baylands subarea. The area studied for this plan does not correspond precisely with General Plan boundaries for the subarea, since developed areas, including the Tank Farm and northern areas along the railroad tracks and areas north of Beatty Road, were not inventoried. Lands evaluated in the Baylands subarea for this study total roughly 550 acres. With the exception of Icehouse Hill and Brisbane Lagoon, the area is a relatively flat artificial plain, which is barren and vacant except for scattered commercial development including a fuel tank farm and fuel distribution facilities, recycling and reclamation activities, offices, warehouse and storage uses, statutory production and a lumber yard. Vacant lands comprise roughly 470 acres. The subarea is traversed in a north/south direction by Tunnel Avenue, a private road, and railroad tracks used primarily by the Caltrain commuter line. Infrastructure does not serve most of the subarea and there is no safe and legal pedestrian or bicycle access between the Baylands and portions of town west of Bayshore Boulevard. Tunnel Avenue, the major north/south accessway in the subarea, lacks sidewalks and a designated bicycle lane. A new Tunnel Avenue overpass that is currently in the design phase, will provide pedestrian and bicycle access.

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North end of Baylands Subarea (Roundhouse is to right of center). Photo: Raphael Brienés

A number of noise generators impact the Baylands subarea. Traffic on U.S. Highway 101 generates noise contours of CNEL 65 dB or more within 1,400 feet along the eastern side of the subarea; traffic along Bayshore Boulevard generates a noise contour of CNEL 65 dB or more within 250 feet of that roadway; and noise contours of CNEL 65 dB are generated by train traffic within 175 feet of the railroad tracks.

This plan evaluates open space resources that comprise eleven parcels within the subarea; with a few exceptions, individual assessor parcels were not referenced for the Baylands subarea. The area is designated Planned Development-Trade Commercial in the 1994 Brisbane General Plan. Subareas designated PD require the preparation of a specific plan and environmental impact report prior to any development of the area. A minimum of 25% of the surface land of a designated PD shall be in open space and/or open area.

The portion of the subarea west of the railroad tracks was filled at the turn of the century. The fill is thought to consist of general soil material, refuse, and rubble and wreckage from the 1906 San Francisco earthquake and fire. The area is the former site of the Southern Pacific Railroad maintenance and switching yard; a building of historic interest, the brick railroad roundhouse, is located in the area's easternmost section. The use of the yard began to decline in the 1960's and while the roundhouse remains, the tracks in this

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area have been removed and remediation efforts to deal with contamination are currently under way in northern portions.

The portion of the subarea east of the railroad tracks was used for over fifty years by the City of San Francisco as a refuse landfill, followed by surcharging with inert fill. The area may contain toxic contamination from unregulated landfill. This area is generally prone to subsidence, and is prone to liquefaction and very intense ground shaking during earthquakes.



The Brisbane Lagoon, located in the southern portion of the Baylands subarea, was created when U.S. Highway 101 was constructed in 1954. The lagoon connects to San Francisco Bay via two box culverts under the freeway near its northeast corner, and it is therefore subject to tidal action. Fishing is popular in an area locally known as Fisherman's Park, which is located just south of the bay outlet under the freeway.

Several open drainage channels traverse the subarea; one runs in an east/west direction, another parallels the railroad spur tracks south of Icehouse Hill and a third runs adjacent to Industrial Way in the western edge of the subarea.

Drainage channel in central Baylands Subarea, looking west to Icehouse Hill and Northeast Ridge. Photo: Raphael Bienes

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b. Conclusions

Figure 8 shows the open space and resource protection recommendations for the Baylands and adjacent subareas. The Committee based its recommendations regarding the open space resources in the Baylands subarea on General Plan policies. General Plan Policy 331, in particular, which states, “maximize opportunities for open space and recreational uses in any land use planning for (the Baylands) subarea,” guided the Committee’s suggestions. The Committee envisions that as the Baylands subarea develops, the property owner will dedicate land to the city. This idea is founded on Policy 355 which states, “Provide in-lieu fees for the acquisition of open space or land dedication in conjunction with development.” The Land Use Element, on Page 63, states that “A *minimum* (emphasis added) of 25% of the surface land of any subarea designated Planned Development shall be in open space and/or open area”. The Baylands is one of three subareas designated PD in the 1994 General Plan. Open areas are defined on Pages 86 and 87 and Open space is defined on Page 111 of the 1994 General Plan.

The Committee recommends that areas north of the drainage channel, if developed, be so in a manner that is consistent with adjoining urbanized areas and with good urban design principles that emphasize opportunities for open areas. A building of historic interest, the Roundhouse, occurs on the western portion of this area – the Committee, guided by General Plan Policy 334, encourages an adaptive reuse of the structure.

The Committee recommends that portions of the subarea south of the drainage channel and north of Lagoon Way be maintained in a way that maximizes open areas. General Plan Policy 330 states that, “development south of the...drainage channel shall maintain a low profile” and should be developed “to maximize the amount of landscape and open space or open area in this portion of the subarea.” The Committee envisions that these lands contain an open, relatively undeveloped pattern and that recreational uses, landscape and open areas be maximized.

The Committee recommends preservation of maximized open areas on the southern side of Icehouse Hill, which contains an old shooting range. The latter may contain substantial amounts of lead in the soil from spent bullets and shell casings which could be a source of contamination. It should be kept as open area or dedicated as open space. The Committee recommends that other portions of Icehouse Hill should be dedicated for open space or conservation purposes, such as portions which are adjacent to Bayshore Boulevard, the eastern portions of Icehouse Hill that contain native grasslands and potential habitat for the endangered butterfly species, and the northern side of the hill, encompassing a ravine that currently contains horse stables and other structures. The Committee based its recommendations on Policy 348 of the General Plan, which states, “enhance the natural landform and biotic values of Icehouse Hill and preserve its ability to visually screen the Tank Farm.”

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Icehouse Hill, looking west from central Baylands Subarea. Photo: Raphael Bienes

The Committee recommends that the westernmost portion of the Baylands Subarea, north of Icehouse Hill and adjacent to Industrial Way, be maintained as open space or open area(see Figure 8). It is envisioned that this area contain a landscaped “wetland river park” with a seasonal flood plain that doubles as recreational space possibly continuing out to the bay. This idea was included as part of the conceptual storm drainage improvement plans prepared by the Brisbane Department of Public Works. The Committee recognizes that environmental studies analyzing the potential toxic contamination issues in this area need to be conducted prior to developing a wetland river park.

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Central Baylands Subarea from Northwest Bayshore Subarea. Photo: Raphael Bienes

Infrastructure does not serve most of the Baylands subarea and there is no legal and safe pedestrian or bicycle access between the area and central Brisbane and other areas of the city. Tunnel Avenue, the only north/south accessway in the subarea, lacks sidewalks and a designated bicycle lane. The Committee, based on General Plan programs 86a and 86b and policies 336 and 343, recommends developing a pedestrian and bicycle system from the subarea to reach all areas of the city. The Committee also recommends development of a separated bike lane along Bayshore Boulevard.

The Committee envisions that the ‘wetland river park’ will contain a trail that connects to a multi-use trail running in a north/south direction along both sides of Tunnel Avenue. If technologically feasible, the Committee recommends a trail connection east of Tunnel Avenue along the existing drainage channel extending to the Bay Trail. The Tunnel Avenue trails, in turn would connect with central Brisbane via the new Tunnel Avenue overpass, which, when built, will provide pedestrian and bicycle access. Policy 346 states “include the upgrade or replacement of Tunnel Avenue and its overpass or alternative access in the circulation plan for the Baylands.” The Committee recommends that the future trail over the Tunnel Avenue overpass connect to the city-owned former railroad rights-of-way in Crocker Industrial Park generally by way of a private easement that currently provides access to Machinery and Equipment Company and shown on some maps as Industrial Road and an abandoned railroad tunnel under Bayshore Boulevard.

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Baylands Subarea, looking north from San Bruno Mountain. Photo: Raphael Bienes

The Committee also recommends dedication of land in the Baylands subarea for regional trail projects. The Bay Trail, administered by the Association of Bay Area Governments, is a multi-use corridor that, when complete, will encircle San Francisco and San Pablo Bays with a continuous 400-mile trail network. In accordance with proposals for the Bay Trail, the Committee recommends that within Brisbane, a short spur trail follow the shoreline along Harney Way, with the main route of the Bay Trail connecting Candlestick Point State Recreation Area with Sierra Point along a landscaped corridor west of Bayshore Freeway (see Figure 8). At Sierra Point the trail would split, with one leg of the trail continuing into South San Francisco. The trail would incorporate the existing Sierra Point Parkway bike lane and the public access trail that perimeters the Sierra Point subarea. The Committee also recommends the establishment of trails connecting west from the Bay Trail to central Brisbane, and on to San Bruno Mountain Park and the Bay Area Ridge Trail.

The Brisbane Lagoon occupies the southern portion of the subarea and is a valuable aquatic resource that contains tidal wetlands. There is a fishing area, locally known as Fisherman's Park, located on the lagoon's northeastern perimeter. The Committee, based on Policy 354, which states, "dedicate land area for open space, recreational uses and wetlands restoration, especially around the Lagoon," recommends that the lagoon and its environs be conserved as open space. A public pathway should be developed around the lagoon perimeter (Policy 350), linking with the future Bay Trail and Tunnel Avenue trail. Additionally, the Committee recommends that the area along the entire shoreline at the

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northern end of the lagoon, between the lagoon and Lagoon Way, be preserved as open space as it provides significant recreational opportunities (see Figure8). This would be a very high priority open space area.



North end of Brisbane Lagoon, looking west. Photo: Randy Anderson

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Figure 8 – Priority Resources, Baylands, Sierra Point and Beatty Subareas

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6. Beatty Subarea

a. Conditions

The Beatty subarea is located on the northern end of the city east of Tunnel Avenue at its intersection with Beatty Road. It is completely developed except for one small private parcel. The subarea comprises roughly 30 acres, 0.5 acre of which is vacant. The subarea contains parcels which range from 0.18 acres to 7 acres in size. The subarea is zoned Heavy Commercial (C-3) and has an urban character, being developed with office and warehouse buildings and storage yards which cause traffic, noise and odor. Noise contours of CNEL 65 dB or more are found within 1,400 feet of U.S. Highway 101 to the east and within 150 feet of the railroad tracks to the west of the subarea, which are used primarily for the Caltrain commuter line. Much of the subarea consists of former refuse landfill; this area is subject to very intense ground shaking and liquefaction during earthquakes. The eastern edge of the subarea adjoins the 171-acre Candlestick Point State Recreation Area and the San Francisco Bay shoreline.

b. Conclusions

The only parcel evaluated in this subarea is a privately owned parcel, triangular in shape, and 0.51 acres in size, bounded on the south by Harney Way, on the west by U.S. Highway 101, and on the north by the San Francisco-owned portion of the vacant area and Alana Way. The area contains heavy commercial uses and currently does not offer recreational opportunities, open space or open areas. There is no safe and legal pedestrian or bicycle access between the area and central Brisbane. While located nearby the 171-acre Candlestick Point State Recreation Area and the San Francisco Bay shoreline, the site does not provide easy access to this area. However, segment of the Bay Trail is proposed to run along Alana Way, immediately north of the site.

The Committee proposes that this undeveloped parcel is an important open space/open area resource due to its location between US 101 and the Bay. The first views that southbound motorists leaving San Francisco see of San Francisco Bay and the shoreline include this property. Any development on this site could, have a significant scenic impact, if not designed to be sensitive to the resource (see Figure 8).

The 1994 Brisbane General Plan contains programs and policies applicable to the Beatty subarea which guided the Committee's conclusions. General Plan Policy 374 states that the area shall accommodate heavy commercial uses as its primary purpose. Additionally, Policy 376 requires preparation and adoption of a specific plan and environmental impact report prior to any significant development within the subarea. Policy 347 of the General Plan advocates cooperating with other agencies to develop the Bay Trail between Sierra Point and Candlestick Point State Recreation Area.

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E. Open Space Preservation Strategies

The Committee based its preservation strategy recommendations, in large part, on General Plan policy. The following policies encapsulate the Committee's views regarding open space preservation:

- Policy 90 On an ongoing basis, aggressively seek opportunities to preserve open space.
- Policy 91 Explore the widest range of options for preserving open space lands, including acquisition, dedication, and exactions on development projects.

Specific strategies were identified for the Brisbane Acres subarea, and for the other four subareas evaluated.

1. Brisbane Acres Strategies

The Committee recommends that parcels in the Brisbane Acres subarea containing significant open space resources should be preserved either with techniques that protect the parcel in its entirety or with strategies, such as easements, that protect only the critical natural resource(s) and may allow development on less sensitive portions. Potential acquisition would be best done on a willing owner/seller basis. The presence of open space resources on a parcel does not preclude development proposals. Development may be feasible in conjunction with preservation of the resources in some cases where resources occupy only a portion of the parcel. Additional information on preservation strategies and options is provided in Section IV of this report.

Preservation Strategies

- a. Continue to encourage land donations to the City, which can provide significant tax write-offs to the landowner;
- b. Continue efforts by the City to negotiate willing-seller purchases on a fair market or "bargain sale" basis (in which case the owner may obtain partial tax credits), using funds potentially available through grant programs;
- c. Continue to actively seek state, federal, and private grants for acquisition of parcels with high resource values;
- d. Utilize the open space acquisition fund set aside from City general funds (\$50,000 starting in 1997, to increase by 10% of that amount each year, per Resolution 99-01) as matching funds for grants, or in critical cases, to directly purchase open space;
- e. Work in conjunction with the Habitat Conservation Plan (HCP) operators to preserve critical butterfly habitat, to implement the 40% conserved habitat required by the HCP;
- f. Revise the zoning ordinance to establish stream setbacks to protect riparian vegetation and avoid erosion and increased runoff;

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- g. Encourage use of the city's Density Transfer Ordinance (explained in Section IVA) to allow property owners in the Brisbane Acres subarea to sell or transfer development rights to property owners/parcels in areas of the city that are not constrained for development;
- h. Review development proposals for parcels within the Brisbane Acres subarea for the presence of significant open space resources identified in this study, and guide development plans to protect the resources;
- i. Require dedication of open space easements to protect critical resources on parcels that are granted development approvals, and:
- j. Purchase or acceptance of conservation easements over all, or a portion of a property is a secondary strategy because a private party would continue to own an interest in the property, creating more responsibility for the City to monitor and enforce the terms of the easement. Preferably parcels can be purchased in fee title.

2. Sierra Point, Baylands, Northwest Bayshore and Beatty Subarea Strategies

Priority resource areas and corridors that the Committee has deemed worthy of preservation in the Sierra Point, Baylands and Beatty subareas are more likely to be protected through the development review process than through outright acquisition or protection efforts by the city. This is also true for the Northwest Bayshore subarea because this area is within the boundaries of the San Bruno Mountain HCP, and is subject to its regulatory provisions.

Preservation Strategies

- a. Refer to this Open Space Plan and use it as a guide in reviewing development proposals and city-sponsored plans for use of the land in these subareas;
- b. Share this Open Space Plan and coordinate with local and regional agencies involved in reviewing and permitting development in the city and on adjacent sites, such as partners in the Habitat Conservation Plan, the San Francisco Bay Conservation and Development Commission, Corps of Engineers, Regional Water Quality Control Board, Department of Toxic Substance Control, the Integrated Waste Management Board, the State Lands Commission, and Caltrans;
- c. Share this Open Space Plan and coordinate with local and regional agencies involved in planning and implementing trails (primarily the San Francisco Bay Trail Project);
- d. Pursue the dedication of easements, where applicable, for trails and the Wetland River Park;
- e. Coordinate with the State of California and Caltrans regarding permanent protection and cooperative efforts to restore habitat on the approximately 4 acre bayfront parcel on the Sierra Point subarea's northwestern edge and;

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- f. Incorporate open space dedication and open area planning as part of the specific planning portion of the planned development process, when applications are made to the City, utilizing this Plan as the guiding principles.

F. Use and Management Policies

These recommended policies are intended to guide users and managers of the open space resources and trails protected under the city's open space program. Open areas, because they will remain in private ownership, will be managed by the property owner in conformance with the regulations that governed their establishment.

1. General Management Policies

- a. Open space is to be maintained in a natural condition as much as possible, except in redeveloped areas where trail corridors and open space may be tied in to the overall development landscape theme.
- b. New open space acquisitions, major open space restoration or management, trail construction or any significant trail alterations or improvements should be consistent with this plan. The City Council, Planning and PB&R Commissions and City staff may refer these matters to the Open Space and Ecology Committee for review and recommendation.
- c. Ongoing staff support should be provided for the open space planning and acquisition program and staffing the Open Space and Ecology Committee.
- d. Native habitat restoration efforts should be undertaken where practical, in conjunction with the HCP operators, and consistent with other City policies.
- e. The City Council and City Manager should assign responsibility among City departments for coordinating open space and trail use information and trail and resource management activities as well as for trail improvement and maintenance. Volunteer labor can be used to augment City resources.
- f. The City will take responsibility for monitoring open space or trail easements and conditions of approval on private open areas.
- g. Smoking and fires are prohibited in open space lands having fire danger. This includes city-owned open space in the Brisbane Acres subarea, Northeast Ridge and Northwest Bayshore subareas, and other areas as designated and posted by the city.
- h. No plants, animals, or other resources are to be collected or disturbed except in conjunction with a city approved and coordinated resource management project.
- i. The city recognizes that restoration, maintenance and management of natural or improved open space areas can be a significant initial and ongoing expense.

Use and Management Policies

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- j. Public and private open spaces and open areas have been demonstrated to add significant direct and indirect value to properties adjacent and in the region.
- k. The city will make every effort to secure funding and direct aid for open space protection and management in accordance with development entitlements, environmental impacts and the values provided to properties.
- l. The Parks, Beaches, and Recreation Committee is the chief advisory body for the City on trails. The Open Space and Ecology Committee shall provide guidance for trail planning and management, to help protect sensitive resources in accordance with ecological principles.

2. Use and Management Policies - Brisbane Acres and Northwest Bayshore Subareas Open Space and Trails

- a. Existing trails typically consist of old fire roads and trails developed and/or used informally by residents over the years. The parts of these trails that have been designated as part of the City's trail system will be maintained and managed by the city or other responsible agency with the help of volunteer labor.
- b. Under certain circumstances, it may be desirable to discourage the use of some trails. Such may be the case where the use of a trail threatens endangered species habitat, contributes to erosion on fragile slopes, or presents a public safety hazard. Means to discourage trail usage may include educational signage ("restoration in progress"), posted warnings ("no trespassing") or various physical barriers.
- c. Since there is no public parking available at the potential trailheads (in the upper parts of Central Brisbane) to the informal trails that link with public parklands, access will be limited primarily to city residents. Maps and directions to the existing trails will not be published or posted, and no directional signage will be placed except on the trails themselves.
- d. A system of trail names or designations will be developed and maintained for reference by trail users, responsible city staff, other local emergency response agencies, and staff for the adjacent San Bruno Mountain State and County Park.
- e. Trail use will be coordinated with San Bruno Mountain State and County Park. Trails are typically very steep and are appropriate for hiking use only. Bicycles are allowed in San Bruno Mountain State and County Park on most trails in the Saddle Area and on Radio Road. Dog use in the park is prohibited as part of a countywide ordinance. Bicycles and dogs will be discouraged on city trails that connect to public parklands.
- f. The city will coordinate volunteer efforts to maintain trails and open space. The city will coordinate with and may participate in efforts funded and managed through the San Bruno Mountain Habitat Conservation Plan (HCP) and through the County Parks Department. Basic resource management efforts may include:

Use and Management Policies

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1. Control of invasive exotic plants
2. Restoration of native plants
3. Removal of litter
4. Management of storm water runoff and erosion
5. Maintenance and improvement of trails

3. Use and Management Policies - Sierra Point, Baylands and Beatty Subareas Open Space and Trails

- a. Open space land may be acquired or dedicated in these subareas in conjunction with future commercial development. Planning and implementation of resource protection and restoration will be part of the scope of the development projects.
- b. New trails may be planned and constructed in these subareas in conjunction with future commercial development, including portions of the San Francisco Bay Trail. Planning and construction of these trails and related improvements will be part of the scope of the development projects.
- c. The design and use and management arrangements for trails in these areas will be determined in conjunction with future planning for commercial development.
- d. Assessments will be placed on future developments to help pay for ongoing maintenance and management of the open space in these areas that will provide benefit to the properties subject to assessment.
- e. These lands include areas with toxic contamination. Reclamation of natural landscapes will require planning and implementation of cleanup and restoration by qualified scientists and contractors.
- f. The city will coordinate volunteer efforts to maintain trails and open space in these subareas to augment major restoration and ongoing professional monitoring and management efforts.

Use and Management Policies

III. Planning Reference Information

A. General Plan References

This plan was prepared to aid the City Council in implementing specific environmental policies and programs from the 1994 Brisbane General Plan. The General Plan, which was approved by Brisbane voters in a referendum, identifies important resource lands in the city, and specifically discusses the preservation and enhancement of the various subareas' ridgelines, trail system, canyons, watercourses, scenic assets and natural habitat/ecosystems. The Committee carefully referenced the pertinent General Plan policies detailed in this section in establishing the open space evaluation criteria and closely followed General Plan policy throughout the evaluation process.

1. Open Space Element

- Policy 81 The City Shall conduct an on-going effort to identify sites or portions of sites having particular value as open space, wildlife habitat, wetlands, or other environmental qualities that should be preserved and protected. In such cases, the City shall explore the feasibility of acquisition of these areas by the City or by other public or private agencies that are engaged in the ownership and preservation of open space, and, when legally possible, imposing a requirement that such areas be dedicated by the owner to the public for open space purposes.
- Policy 81.1 Work to preserve open space lands to protect the natural environment and to provide outdoor educational and recreational opportunities consistent with the sensitivity of the resource.
- Policy 82 Encourage the preservation, conservation and restoration of open space to retain existing biotic communities, including rare and endangered species habitat, wetlands, watercourses and woodlands.

Program 82a: Educate the public of the continued threat of invasive species through the Brisbane Star.

- Policy 83 Maintain the visual beauty of the Mountain, the ridgelines, hilltops, wildlife and plant habitat including the Brisbane Acres.

Program 83a: In the official actions of the City, including resolutions and ordinances, recognize the importance of maintaining and preserving the natural eco-system and beauty of San Bruno Mountain.

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Program 83b: Comply with the provisions of the Habitat Conservation Plan to protect endangered species habitat.

Program 83c: Cooperate with public and private groups involved in rare plant protection, habitat restoration and maintenance of mountain eco-systems to preserve open space on San Bruno Mountain.

Program 83d: Provide an annual report to the City Council on Federal, State and private opportunities for open space acquisition on San Bruno Mountain and elsewhere in the City..

- **Policy 84** Strengthen and broaden the public's commitment and knowledge regarding San Bruno Mountain and its wildlife and habitat.

Program 84a: Cooperate with the County and State to enhance San Bruno Mountain Park and adjacent lands in Brisbane by joint public information programs about the Mountain and by encouraging supervised volunteers in protection and preservation efforts.

Program 84b: Through public school programs, encourage and promote San Bruno Mountain as an educational resource.

Program 84c: Lobby and work with environmental and conservation groups, and State, County and Federal agencies to ensure the preservation and maintenance of San Bruno Mountain State and County Park.

Program 84d: Through the Recreation Program, provide educational and volunteer programs to adults and youth regarding San Bruno Mountain.

Program 84e: Provide information on the natural ecology of the Canyons through publications and presentations, and encourage citizens to respect the fragility of these eco-systems.

Program 84f: Provide an annual report to the City Council and the community of all activities pertaining to the acquisition, preservation and appreciation of San Bruno Mountain, including information from the HCP manager.

- **Policy 85** Encourage the preservation and conservation of aquatic resources in Brisbane: the Lagoon, the Bayfront and the Marsh.

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Program 85a: Seek opportunities to utilize aquatic areas for recreational and educational activities consistent with the sensitivity of the resource.

Program 85b: Develop provisions in the Zoning Ordinance, including setback requirements, to protect the natural ecology of aquatic resources.

Program 85c: Provide information to citizens on the eco-systems of the Bay, the Lagoon and the Wetland Marsh and how citizens can participate in respecting and conserving these resources.

Program 85d: Work with responsible agencies, property owners and environmental and conservation groups to ensure preservation of aquatic eco-systems.

- Policy 86 Provide access to natural areas consistent with the nature of the resource.

Program 86a: Develop and maintain a network of trails and pathways throughout the City to provide appropriate access to open space and to link City trails with County and regional trail systems.

Program 86b: Extend the trail system to include aquatic areas and provide access to public transportation systems.

Program 86c: Examine the potential to extend a pedestrian and bicycle trail between Sierra Point and the Candlestick Recreation Area along the Bay to the east of Highway 101 in cooperation with regional efforts to obtain the same objective.

- Policy 90 On an ongoing basis, aggressively seek opportunities to preserve open space.
- Policy 91 Explore the widest range of options for preserving open space lands, including acquisition, dedication, and exactions on development projects.

Program 91a: On an ongoing basis, explore and pursue funding sources for acquisition of open space lands with habitat, recreational or other natural resource value.

Program 91b: In conjunction with all new development and the redevelopment of existing uses, where appropriate, require dedication

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of lands with habitat or other natural resource value to remain as open space and/or in-lieu fees for open space acquisition .

- Policy 92 Follow the priorities indicated by citizens in the General Plan survey for the acquisition of open space for preservation of natural areas and recreational potential.
- Policy 93 Establish an implementation program for open space acquisition.

Program 93a. Consider legally available means of funding open space acquisition, such as taxing, assessment districts and other funding mechanisms.

Program 93b: Establish an open space fund to consolidate in-lieu fees, donations, and grants so as to be ready to acquire open space as funds are sufficient and opportunities arise.

Program 93c: Encourage volunteer efforts in supporting open space acquisition, through such activities as initiating legislation, fund-raising and generating philanthropic dedications.

Program 93d: Provide an annual report to the City Council on the state of the open space resources in the community, the amount and type of open space land, the needs for operating and maintaining existing lands, and new acquisitions and funding sources.

Program 93e: Review and establish open space priorities annually as part of the budget and Capital Improvement Program development process.

Program 93f: As a part of the open space acquisition plan, provide updated information on County, State and Federal open space plans and programs.

Program 93g: In setting priorities and programs for open space acquisition review proposals for conformance with the County, State and Federal plans.

Program 93h: For reference and assistance in establishing open space priorities, prepare a comprehensive map of vacant lands in the planning area and update the map annually.

Program 93i Investigate establishing or joining special open space acquisition districts.

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Program 93j: Investigate the possible benefits and disadvantages of an expansion of the Golden Gate National Recreation Area into the eastern and northern peninsula of San Mateo County.

Program 93k: Consider establishing an environmental commission of local citizens to help advise the City Council on open space acquisitions and environmental matters in general.

Program 93l: On an annual basis, send out a letter to all property owners of potential open space, to see if they would like to donate it to the public.

2. Conservation Element

- Policy 118 Preserve areas containing rare and endangered species habitat to the extent allowed by law and available resources.
- Policy 119 Comply with the provisions of the Habitat Conservation Plan and the Agreement with respect to the San Bruno Mountain Area Habitat Conservation Plan.
- Policy 120 Cooperate with local, State and Federal agencies in conservation efforts for biological resources.
- Policy 121 Support efforts to acquire additional rare and endangered species habitat and enlarge San Bruno Mountain State and County Park.
- Policy 122 Cooperate with other agencies in conservation efforts.

Program 122a: Work with the Habitat Conservation Plan Operator, the State Department of Fish and Game, the U.S. Fish and Wildlife Service, and other agencies as appropriate regarding plans and programs that may affect biological resources in the planning area.

Program 122b: Consult the maps in the technical background reports and information supplied by responsible agencies to determine potential for environmental impacts to biological resources and take appropriate action.

Program 122c: Consult with local, State and Federal agencies to determine when field studies are required to supplement or update existing data.

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Program 122d: Work with appropriate agencies to prevent motor bikes and other unauthorized off-road vehicles on San Bruno Mountain.

Program 122e: Encourage applicants to initiate early CEQA consultation on conservation issues.

- Policy 123 Conserve important biological communities through sensitive project design.

Program 123a: In land use development applications, consider the siting of structures and utilities so as to conserve identified biological communities.

Program 123b: Request that the HCP Operator study the Brisbane Acres to determine whether there is the potential to meet the 40% requirement for conserved habitat by dedication of large areas of land rather than small portions of parcels.

- Policy 124 Conserve the urban landscape.
- Policy 130 Conserve water resources in the natural environment.

Program 130a: As an ongoing part of land use planning and CEQA analysis, determine whether proposals could affect water resources.

Program 130b: Require, as appropriate, project analysis of drainage, siltation, and impacts on vegetation and on water quality.

Program 130c: Consult with responsible agencies for design parameters and potential mitigation measures for the conservation of all water resources, especially pertaining to wetlands conservation.

Program 130d: Work with the U.S. Geological Survey to identify the water resources in the planning area.

Program 130e: Obtain maps of drainages and aquifers in and around the City as they become available.

Program 130f: Brisbane will review the San Francisco Bay Estuary Plan to determine whether any amendments to the Brisbane General Plan are appropriate.

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- Policy 131 Emphasize the conservation of water quality and of riparian and other water-related vegetation, especially that which provides habitat for native species, in planning and maintenance efforts.

Program 131a: Encourage studies by responsible agencies and conservation groups of the environmental values and conservation and maintenance requirements of the various water courses in the planning area.

- Policy 132 Recognize the importance of the Brisbane Lagoon and the Levinson Marsh as wildlife habitats, valuable community resources and drainage basins, and cooperate with responsible agencies in their conservation.

- Policy 136 Encourage the maintenance and rehabilitation of structures important to the history of Brisbane.

Program 136a: Provide assistance to owners of historic property in planning rehabilitation projects.

Program 136b: Provide information to property owners on loan and grant funds and tax incentives.

Program 136c: Provide local incentives, such as the Brisbane Star awards, to maintain historic places.

- Policy 137 Conserve pre-historic resources in accordance with State and Federal requirements.

Program 137a: Consider amendments to the Zoning Ordinance to require resource surveys in conjunction with land use development applications and to establish procedures in the event of discovery to protect Native American Cultural Resources consistent with the standardized procedures given in Appendix K of CEQA.

3. Land Use Element

- Policy 16 Acknowledge the mountain setting and the proximity to the Bay as central factors in forming the physical character of the City.

Program 16a: In making land use decisions, consider the proximity of open space on San Bruno Mountain and public views of and access to the Bay as issues to be addressed.

- Policy 17 Preserve the ridgelines and hilltops in their open state.

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Program 17a: Prohibit land use changes that would result in development that would break the natural ridgeline.

Program 17b: Adopt hillside development standards that protect against ridgeline development through regulation of the siting of structures, location of access, landscape requirements and other pertinent factors.

- Policy 18 Respect the topography of the Mountain in design and construction.

Program 18a: In conjunction with land use development applications, encourage options that minimize grading and transformation of the landform and fit comfortably with the topography.

- Policy 19 In the context of respecting private property rights, make every effort to preserve and enhance public views of the Mountain and the Bay.

Program 19a: Identify and map vistas and view corridors of community-wide value to be preserved and enhanced.

Program 19b: Consider amendments to the Zoning Ordinance to provide for site plan review to assure that identified vistas and public view corridors remain accessible for public enjoyment. The review should evaluate building placement, height and bulk.

Program 19c: In reevaluating the tree protection ordinance and landscaping requirements, consider the trade off between desirability of foliage versus the preservation of views and access to sunlight.

- Policy 23 Encourage the maintenance and upgrading of structures and sites that have played important roles in the City's history.

Program 23a: Provide courtesy inspections of historic structures and sites to advise owners of needed corrections and repairs.

Program 23b: Provide information to owners of historic structures regarding State tax incentives for rehabilitation.

Program 23c: Seek official designation of historical structures and sites and pursue all means of ensuring their permanent preservation.

- Policy 28.1 Preserve open areas at the perimeter of the City to maintain Brisbane as separate and distinct from nearby communities.

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- Policy 30 Retain sufficient distances between development and designated open space and natural areas to enhance and respect the amenity and value of the resource.

Program 30a: Establish minimum setback requirements from the Brisbane Lagoon, Levinson Marsh, and other designated aquatic areas consistent with good planning and conservation practices in consultation with the California Department of Fish and Game.

4. Subarea Policies

a. Brisbane Acres

- Policy 245 Grading and excavation should be minimized and exposed retaining walls avoided. Landforms should retain the natural topographic character of the Mountain.

Program 245a: In conjunction with any subdivision or other development application, a landscape program and plan shall be submitted to the City and include the following:

- a. identification and retention of heritage trees;*
- b. identification and retention of rare plants;*
- c. plant species that are not invasive to the habitat;*
- d. water-conserving plants and irrigation systems;*
- e. reduced fuels adjacent to the wildland;*
- f. screening of structures to blend with the natural landscape;*
- g. areas for Conserved Habitat and/or other provisions required by the Habitat Conservation Plan Operator.*

Program 245b: Examine ways to improve the existing density transfer program so that a developer/owner can be granted increased density on sites already served by infrastructure in conjunction with the dedication of more remote sites as Open Space.

Program 245c: Retain a trail system through the Brisbane Acres to connect the area to Central Brisbane and the San Bruno Mountain State and County Park.

Program 245d: Map the canyons, intermittent streambeds and banks in the Brisbane Acres and designate such areas for protection.

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Program 245e: Develop clear regulations that can be enforced to preserve the natural ecology of the canyons, intermittent streambeds and banks.

b. Northwest Bayshore Subarea

- Policy 310.2 Locate development so as to have a 'greenbelt' separation from Daly City.
- Policy 317 Preserve the marsh as a wetland and natural drainage basin.
- Policy 318 Preserve conserved habitat in accordance with the Habitat Conservation Plan.
- Policy 319 Preserve canyons and water courses.
- Policy 319.1 In conjunction with any proposed development on or near the upland slope of the Levinson property, require study of the impacts to the hydrology, plant and wildlife communities of the Mountain, from the Marsh to the Bay. Consider a habitat migration corridor to ensure ecosystem integrity.

c. Baylands Subarea

- Policy 331 Maximize opportunities for open space and recreational uses in any land use planning for this subarea.
- Policy 333 Establish a safety buffer around and provide for visual screening of the Tank Farm.
- Policy 334 Encourage an adaptive reuse of the Roundhouse and other structures identified as having historic, cultural and unique architectural value.
- Policy 335 Give aesthetic consideration to views of San Bruno Mountain, the Bay and the Baylands development itself from Central Brisbane as well as views from the Baylands in the design of any development.
- Policy 336 Consider methods for enhancing interaction between the residential community in Central Brisbane and uses on the Baylands. Methods may include pedestrian, bicycle and vehicular connections, recreational uses and educational facilities.

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- Policy 343 Develop a pedestrian and bicycle system to reach all areas of the City from the Baylands.
- Policy 344 Connect all development within the Baylands with bicycle and pedestrian networks.
- Policy 345 Work with other agencies to promote interconnection with regional bicycle systems.
- Policy 346 Include the upgrade or replacement of Tunnel Avenue and its overpass or alternative access in the circulation plan for the Baylands.
- Policy 347 Cooperate with other agencies to develop the Bay Trail between Sierra Point and the Candlestick Recreation Area.
- Policy 348 Enhance the natural landform and biotic values of Icehouse Hill and preserve its ability to visually screen the Tank Farm.
- Policy 349 After the water environment is determined to be safe for public access, develop public water-related passive recreation at the Brisbane Lagoon, with due concern for the preservation and enhancement of the wetlands.
- Policy 350 Develop a public pathway and access facilities immediately adjacent to the Lagoon.
- Policy 351 Establish a buffer zone between the Lagoon and adjacent uses.
- Policy 352 Plan for landscape improvements to the lands around the Lagoon, including screening of the industrial structures adjacent to Bayshore Boulevard from the Lagoon.
- Policy 353 Consider a possible golf course if compatible with environmental and conservation concerns.
- Policy 354 Dedicate land area for open space, recreational uses and wetlands restoration, especially around the Lagoon.
- Policy 355 Provide in-lieu fees for the acquisition of open space or land dedication in conjunction with development.

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- Policy 357 Identify wildlife habitats and encourage programs to retain and/or enhance their natural features and habitat values in consultation with responsible agencies and independent professionals.

d. Beatty Subarea

- Policy 375 Development of this subarea shall be designed to act as a buffer between the impacts of the industrial uses on adjacent properties in San Francisco and the Planned Development - Trade Commercial uses of the Baylands.

Program 375a: There shall be an extensive southern landscape buffer which may also include a berm or other separating device.

- Policy 376 A Specific Plan and accompanying environmental review shall be prepared and adopted prior to any significant development or redevelopment of the area.

5. Local Economic Development Element

- Policy 10 Establish environmental welfare as a major objective of the City's economic development policy.

Program 10a: Develop an environmental strategy for economic development. The strategy should include methods of encouraging the use of renewable resources and the preservation and restoration of the unique features of the community for future generations.

In addition, Page 51 of the 1994 General Plan states that “the City seeks to encourage renewable uses and the preservation and restoration of its truly unique natural features. Development decisions are to be analyzed so as not to overwhelm the long-term environment and in a manner that provides for sustainable development”.

B. San Bruno Mountain Park Features and Plans

San Bruno Mountain State and County Park encompasses approximately 2,700 acres (including land yet to be conveyed to the county as conserved habitat through the Habitat Conservation Plan process). The mountain lies immediately to the south and west of the City of Brisbane and dominates the landscape of northern San Mateo County; elevations range from 250 feet to 1,314 feet about sea level. The park provides a relatively undeveloped open space area to be used for the preservation and enhancement of biotic resources including rare and endangered plants and butterflies, and provides a public setting for nature and scenic interpretation as well as for active and passive recreation.

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The park is one of the few natural recreational areas for the four cities that surround it – Daly City, Brisbane, South San Francisco and Colma.

In response to aggressive urbanization of land surrounding San Bruno Mountain and to proposals to develop the mountain itself in the 1960's, local citizens organized to preserve the mountain in its relatively natural state. In 1972, voters approved funds for a 10-year acquisition and development program for the creation of San Mateo County Park lands. In 1978, San Mateo County acquired more than 1,600 acres of land and in 1980, the State of California acquired the mountain's saddle area to become part of the state park system. San Mateo County then formed an operating agreement with the State of California, merging the parklands into the San Bruno Mountain State and County Park.

San Bruno Mountain State and County Park is under the management of the San Mateo County Parks and Recreation Division. Several parcels of private land are within the perimeter of the park. At the mountain's summit is 21.4 acres of private land on which radio and broadcast towers as well as microwave dishes are located. Privately owned Guadalupe Valley Quarry is located on the mountain's east side in the jurisdiction of San Mateo County, but within Brisbane's sphere of influence. The quarry property contains 144.5 acres within the boundaries of the San Bruno Mountain HCP (roughly 85 acres are within an active mining area and 60 acres consist principally of grassland and brush); the site is also within a State Designated Mineral Resources Area of regional significance

Directly west of Brisbane's city limits, between central Brisbane and the quarry, lie Owl and Buckeye Canyons, which are owned by the California Department of Fish and Game. This area is not managed by the County as part of the Park. These canyons, roughly 81 acres in size, comprise San Bruno Mountain Ecological Reserve, containing unique natural resources and providing habitat for the endangered butterfly species found on the mountain as well as for rare plants and the Pacific tree frog. There is a Native American archaeological site on Buckeye Canyon and both canyons are within the HCP boundaries and are permanently protected conserved habitat.

A portion of the former quarry road, between San Francisco Ave. in Brisbane and just west of the present quarry entrance on South Hill Drive has been purchased by the City for future use as a trail link to the park lands on the mountain. The Committee sees this trail as an important open space resource that is already protected by trail easements. The City needs to work with the State and current easement owners to enhance and permanently protect this valuable open space resource. That includes annexing this area so that it is within Brisbane's jurisdiction.

San Bruno Mountain State and County Park also contains easements for Pacific Gas and Electric (PG&E), the California Department of Forestry (CDF) and the San Francisco Water Department (SFWD).

The county manages San Bruno Mountain State and County Park primarily as an open space preserve, with the main goal of maintaining and enhancing its natural habitat value.

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The park contains few facilities, although the development of a visitor/interpretive center and a group picnic area, among others, have recently been proposed. Recreational uses consist of walking/jogging/hiking on designated and undesignated trails, sightseeing, day camping, nature studies, picnicking, and bicycling and horseback riding (in designated areas only). Few opportunities exist for more active and intensive recreation uses and for facilities that do not impact habitat areas.

San Bruno Mountain State and County Park lacks perimeter trails leaving it isolated from neighboring communities including Brisbane. A number of informal paths have developed over time that link residential portions of Brisbane with public parklands; the San Bruno Mountain State and County Park Master Plan recommends integrating these trail routes with segments of the State and County Park system. The Master Plan identifies important access and connection points and considers four future trail connections into the park on existing access corridors from Brisbane (see Figure 9). While there are no formal plans to upgrade these existing corridors to designated trails (consistent with trail guidelines established in the San Mateo County Trails Plan), it is possible that increasing the network of trails would disperse park use more evenly, rather than concentrating use on the few existing trails. The Committee, as well as the State Dept. of Fish and Game, is concerned about a proposed trail location in Owl and Buckeye Canyons because of their ecological fragility.

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Figure 9 – San Bruno Mountain Park Master Plan

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C. San Bruno Mountain Habitat Conservation Plan

San Bruno Mountain contains habitat for a number of rare plant and animal species, including three butterfly species listed as endangered by the federal government: the Mission blue, Callippe silverspot and San Bruno elfin. The butterflies rely on certain host plants that are prevalent on the mountain. Section 9 of the Federal Endangered Species Act of 1973, as amended (ESA), prohibits the “take”¹ of any endangered fish or wildlife species, and thus, for several years development was completely restricted on the then privately owned lands on the mountain. Development plans on the mountain could not be approved until 1982 when the ESA was reauthorized and amended. A provision in section 10 of the 1982 amendments to the ESA allows for the incidental take² of endangered and threatened wildlife species providing that a Habitat Conservation Plan is prepared and approved. Using the San Bruno Mountain Habitat Conservation Plan (HCP), the U.S. Fish and Wildlife Service issued an incidental take permit in 1983 allowing development to proceed.

The San Bruno Mountain HCP is the first HCP in the nation and has served as the prototype for subsequent HCPs. The HCP guides development on San Bruno Mountain including any proposed development within San Bruno Mountain State and County Park. A copy of the HCP is available in the Brisbane Public Library. While the HCP allows limited development in permitted areas (including on known endangered butterfly habitat), its primary objective is to minimize the effect of both public and private projects on endangered species and the other natural resources of the mountain. As a mitigation measure for the impact of new development on endangered species the HCP requires the conveyance to San Mateo County of additional habitat currently in private ownership.

When the San Bruno Mountain HCP was established, a funding mechanism was enacted to provide specific funding in perpetuity for management and monitoring of habitat areas. Upon approval of any planned unit development, tentative subdivision map, building permit, grading permit, conditional use permit or special use permit within a developable administrative parcel, the landowner/developer of that parcel is required to pay the Trustees (managers of adjacent cities) directly for the HCP an amount of \$20.00 per year for every residential unit and \$10.00 per year per 1,000 square feet of non-residential floor area adjusted for inflation to 1983 dollars. San Mateo County, as the Plan Operator, receives these funds and oversees management arrangements and efforts. The resource management planning and actions are contracted out to a private firm (currently Thomas Reid Associates).

Currently, the 1983 San Bruno Mountain HCP permit, as amended, covers three federally endangered species: the Mission blue butterfly, the San Bruno elfin butterfly, and the San Francisco garter snake. Forty-four additional species are discussed in the HCP, referred

¹ A take is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting any endangered or threatened fish or wildlife species.

² An incidental take is a take that is “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.”

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to as Species of Concern, but are not listed on the permit. The endangered Callippe silverspot butterfly is an HCP Species of Concern and is not currently listed on the incidental take permit for the HCP. The Biological Opinion for the original permit only analyzed the impacts of implementation of the HCP on the Mission blue butterfly, San Bruno elfin butterfly, and the San Francisco garter snake, and did not analyze impacts to the other forty-four Species of Concern, including the Callippe silverspot butterfly.

The Callippe silverspot butterfly was federally listed as endangered in 1997. This species current range is mainly confined to San Bruno Mountain. The County of San Mateo and the cities of Brisbane, South San Francisco, and Daly City (permittees) have applied for an amendment for the incidental take permit to add this species to the permit. The U.S. Fish and Wildlife Service is currently reviewing and evaluating this permit amendment application.

Most of the land on San Bruno Mountain, including the Brisbane Acres subarea, is within the HCP boundaries. Because the Brisbane Acres subarea lies within the jurisdiction of the San Bruno Mountain HCP, the city must incorporate the conditions imposed by the Plan Operator (San Mateo County) into the city's action when considering a land use development permit.

The Brisbane Acres subarea is designated as an "Unplanned Parcel" in the HCP, meaning that the HCP has not set forth specific conservation measures for the area. In other words, further consideration of the HCP requirements are necessary before development can take place, and the area is not covered by the existing (as of 2001) San Bruno Mountain endangered species permit which allows incidental take of federally protected butterflies.

The HCP policy for the Brisbane Acres subarea calls for 40 percent of the planning area to be preserved as conserved habitat and, as such, open space preservation would make a substantial contribution to the implementation of the conservation goals of the HCP for this subarea. The Committee discussed with the HCP contract manager the possible coordination of this plan with their objectives in the Brisbane Acres. Clearly, a coordinated comprehensive plan would be preferable to piecemeal decisions on individual parcels.

A portion of the Northwest Bayshore subarea is also within the San Bruno Mountain HCP. Portions of this subarea are designated unplanned parcels in the HCP, while two parcels have received approval as planned parcels under the HCP. A planned parcel is one for which a development plan, including mitigations, has been approved by the Plan Operator and incorporated into the HCP. An unplanned parcel may not be developed until it receives approval as a planned parcel as well as other normal regulatory approvals. One of the planned parcels in the Northwest Bayshore Subarea, the Brisbane Technology Park, has been developed while the other, the Peking Handicraft site, remains undeveloped.

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D. Existing Open Space in Brisbane

Table III-1: Existing Parks, Recreation and Open Space Resources

The City of Brisbane's existing parks and open space resources are numerous. The following table is a comprehensive inventory of existing parks, recreational facilities and open spaces with associated acreage where available. An * in the Park/Resource Name category denotes the area is proposed or permanently dedicated open space.

Park Classification	Park/Resource Name	Approximate Acreage
Mini Parks		
Public	Sierra Point Par Course/Picnic Area	0.25
	Community Center/Library Park	0.11
	Plug Reserve	0.01
	Kids and Things Playground	0.25
	Temporary Skateboard Park (proposed)	0.25
Private	Joy Condominium Yard Area	0.60
	Northeast Ridge Altamar Tot Lot	0.25
	Northeast Ridge Altamar Rec. Bldg. Site	0.23
	Northeast Ridge Viewpoint Tot Lot/ Park and Recreation Building	0.67
	Total	2.62
Neighborhood Parks		
Public	Lipman School Fields and Playground	12.30
	Brisbane Elementary School Fields	4.89
	Firth Park	0.50
	Total	17.69
Community Parks		
Public	The Community Park	2.00
	Mission Blue Park	6.50
	Community Swimming Pool	0.66
	Total	9.16
Linear Parks		
Public	Sierra Point Public Access Trails	7.00
	Brisbane Bicentennial Walkways	0.37
	Crocker Park Railroad Rights-of-Way*	10.00
Outside City Limits	Quarry Road (portion)	9.80
	Total	27.17

Continued on following page

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Table III-1, continued: Existing Parks, Recreation and Open Space Resources

Park Classification	Park/Resource Name	Approximate Acreage
Special Recreation Use³		
Outdoor Recreation Facilities	Sierra Point Fishing Pier	0.07
	Brisbane Lagoon Fisherman's Park	0.20
	Brisbane Marina	14.40
	Tennis Courts at Lipman School	0.33
	Tennis Courts at Mission Blue Park	0.16
	Ballfield at Mission Blue Park	1.65
	Sierra Point Harbormaster Building	0.07
	Sierra Point Yacht Club	0.04
	Mission Blue Center	0.13
	Kids and Things Building	0.08
	Community Center	0.05
	Sunrise Senior Activity Center	0.02
	The Teen Center	0.04
	Total	17.24 ¹
Conservancy		
Within City Limits	Sierra Point Canyon*	2.00
	Costaños Canyon*	1.10
	Firth Canyon*	0.47
	Northeast Ridge Habitat Dedication*	135.30
	City-owned Brisbane Acres parcels*	14.00
	Levinson/PG&E Marsh*	3.81
Adjacent to City Limits		
	San Bruno Mountain State/County Park*	2,064.00
	Owl and Buckeye Canyons (CDFG)*	81.00
	Candlestick Point State Recreation Area	171.00
	Shellmound Valley Preservation Parcel, South San Francisco (TPL)	25.9
	Total	2,498.58
Additional Open Space		
	Lagoon and Environs (inc. wetlands)*	100.00
	Sierra Point Wetlands*	2.75
	San Francisco Bay Shoreline*	25.00
	Total	127.75
	Grand Total	2,700.21

³Source: Tim Tune, Planning Department.

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IV. Methods for Preserving and Acquiring Open Space

The following section reviews many of the most applicable methods available to the City of Brisbane to conserve open space. Policy and acquisition options are also discussed as are some creative voluntary conveyance programs. This discussion is meant to serve as a reference for Brisbane City Council and others interested in exploring ways to protect natural and open space resources.

This section is divided into four parts. Regulatory Methods describes the basic controls and mechanisms established at the state and local level that govern land use and development, and planning tools available to local municipalities. Acquisition Methods describes how and by whom open space lands can be preserved. Open Space Preservation Organizations describes common public and private organizations formed specifically to protect open space. Funding Alternatives details the techniques available to pay for open space, either outright or for less than fee interest.

A. Regulatory Methods

1. Zoning and Related Regulations

Zoning regulations are local ordinances that divide a city or county into districts or “zones” for the purpose of regulating the use of land. Zoning is a tool to implement General Plan land use policies and designations, either to specify clear limits, or to allow flexibility and incentives to protect open space and other community objectives. Zoning is an effective and appealing land conservation tool to many jurisdictions because of its low cost and its familiarity. Using regulatory approaches, public officials can effectively site developments in areas that have the least adverse impact upon significant open space resources. To be effective, however, zoning requires political will for enforcement. Consequently, its effectiveness varies greatly among jurisdictions. A flaw attributed to zoning is that it is often a temporary solution and susceptible to revision in response to political, economic or social pressures. The zoning provisions briefly described below can be used to further general plan policies and programs aimed specifically at conserving open space:

a. Cluster Zoning

Most zoning ordinances establish minimum lot sizes or a maximum number of houses per acre. Cluster zoning allows these standards to be varied to conserve open space, agricultural land or unique natural features by limiting development to specific portion(s) of the property. Cluster zoning typically provides an incentive for open space preservation because development and maintenance costs can be reduced due to the need for fewer public improvements.

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Disadvantages of cluster zoning include the fact that community residents may object to the character of the denser development, and fear that the resulting open space areas will eventually be developed (though this potential can be eliminated through permanent property restrictions on the areas left as open space).

b. Density Bonus

This is the allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. Similar to cluster zoning, the additional density could be used as an incentive to preserve open space.

c. Floating Zone

This is an unmapped zoning district that is described in the zoning ordinance but not given a specific location on zoning maps until an application for development, meeting the zone requirements, is approved, such as a Planned Unit Development (PUD). This zone can be used to implement development standards established in the general plan.

d. Hillside Development Ordinance

This type of ordinance regulates development on steep slopes, often by establishing a direct relationship between the degree of slope and minimum lot size, and setting other detailed standards, such as for grading, visibility, location on ridgelines, and access.

e. Overlay District/Zone

An overlay district is a land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner. Overlay districts involve superimposing an additional district boundary (i.e. floodplain district) over the current zoning. The overlay district creates a supplementary set of regulations intended to protect the specific natural or unique feature(s) of the land.

f. Performance Standards/Zoning

Performance standards are intended to encourage development of a certain type, character, or pattern by providing clear guidelines, and incentives for meeting the standards. Performance standards may include minimum open space requirements or limits on development of floodplains or steep slopes.

g. Planned Development (PD) Zoning

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This type of zone provides flexibility in development practices while continuing to meet overall density and land use goals. A planned unit development is an area to be planned, developed, operated, and maintained as a single entity and containing one or more residential clusters and one or more public, quasi-public, commercial, or industrial areas. At a minimum, a Planned Development consists of a Specific Plan for the area and a PD Permit setting forth the governing regulations, and the location and phasing of all proposed uses and improvements to be included in the development.

2. Subdivision Controls

Subdivision is the division of land into two or more legal parcels. The Subdivision Map Act (Government Code Section 66410 *et seq.*) sets forth the procedures and requirements for approval of subdivisions by local governments. Subdivisions are approved through a lengthy process and a city council or board of supervisors makes final decisions after a hearing. The main objectives of the Subdivision Map Act are to ensure consistency with the general plan, to guarantee the adequacy of infrastructure improvements and facilities, and to allocate public facility costs.

The subdivision approval process can be an important vehicle for preserving site-specific open space by requiring the careful placement of structures, streets and other improvements, and may also incorporate design elements, such as open space buffers, setbacks from streams and other fragile areas, and the clustering of dwelling units. For example, Program 85b of the 1994 Brisbane General Plan states that provisions should be developed in the Zoning Ordinance, including setback requirements, to protect the natural ecology of aquatic resources.

3. Transfer of Development Rights/Credits (TDR/C)

Transfer of Development Rights (TDRs) allows the transfer of development away from environmentally sensitive areas or valuable open space lands. TDRs provide a mechanism for developers, who benefit financially from increased development density, to buy density credits from landowners who are limited in their ability to develop their properties. Purchase of Development Rights (PDR) programs, which are usually publicly funded, is the purchase of development rights with out a transfer to another site. With either TDR or PDR, easements and/or deed restrictions will be placed on the parcel from which the rights are purchased, to ensure permanent protection.

Brisbane Municipal Code, Section 17.08.040 contains the city's density transfer ordinance. Additionally, the General Plan also contains programs and policies that address TDRs. Program 245b, for example, states "Examine ways to improve the existing density transfer program so that a developer/owner can be granted increased density on sites already served by infrastructure in conjunction with the dedication of more remote sites as Open Space."

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Disadvantages to TDRs are that the complex technical details require careful planning and administration. The viability of a TDR system in Brisbane is questionable. First, there must be sufficient market demand for credits that have significant value (that are usable/saleable in a short period of time). Second, the owners of protected open space (donor sites) must be satisfied that the credits they are assigned constitute fair compensation for their loss to develop. Finally, matching sensitive “donor” sites with suitable and viable “receiver” sites has limited the use of TDRs in Brisbane and many other communities.

4. Development Dedications and Exactions

a. Dedications and In-Lieu Fees

These are requirements by a local government that a developer dedicate a negotiated portion of land to public use, such as open space, parks, or streets, as a condition of obtaining approval to build. A dedication may involve either a fee interest or an easement interest, and may be granted by designation on a subdivision map (if applicable) or by grant deed. A public agency may also accept fees in lieu of land dedication.

The Quimby Act (Government Code Section 66477) authorizes local agencies to require dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purpose as a condition to the approval of a final subdivision or parcel map. The Quimby Act contains a specific formula, based on residential density, for calculation by local agencies of the in-lieu fee or acreage to be dedicated. The City of Brisbane has adopted an implementing ordinance for dedication of land for park and recreational purposes. It is contained in Sections 16.24.010-16.24.030 of the city’s Municipal Code. In Brisbane’s ordinance the fee is based on a household recreational standard of 4.50 acres per 1,000 population multiplied by a fair market value of dwelling units. The aggregate fees are held in trust until an appropriate open space or recreational project can be funded.

b. Development Impact Fees

Development impact fees, also called development fees or exactions, are fees levied on the developer of a project to help pay for infrastructure and public amenities necessitated by the new development. While functionally and conceptual similar to dedications and in-lieu fees, development impact fees must be used to directly benefit the project, and there must be a nexus (direct connection) between the required fee and the new development. Impact fees can come in forms other than monetary and may be applied to off-site (funds for a new school or firehouse) as well as on-site improvements (roads, sewer lines or parks). Government Code Section 66000 *et seq.* specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged.

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Under the California Environmental Quality Act (CEQA), local governments, in order to mitigate adverse environmental consequences, may charge developers mitigation fees, which can be used, in certain instances, to purchase park or other open space lands. This land conservation tool is appropriate for Brisbane. Program 88c of the Open Space Element of the 1994 Brisbane General Plan states, "Require impact fees or exactions as contributions to the acquisition, development and maintenance of passive open space, park and recreational facilities in conjunction with the mitigation requirements for development projects." Development impact fees, however, do not typically yield large amounts of funds and it is often a difficult process to negotiate a value on the necessary mitigation.

B. Acquisition Methods

While regulatory methods cannot actively pursue permanent preservation of natural resources except in conjunction with development, acquisition can be pursued at any time. Acquisition typically provides permanent protection, while regulatory protections are subject to potential political changes, except when they include some form of acquisition of property rights or restrictions.

1. Fee Simple Ownership

The term "fee simple" is used to denote outright ownership of land. A fee simple interest entitles its owner to exercise complete control over the use or final disposition of the land, subject to applicable land use regulation, and civil and criminal laws. It fully compensates the landowner and is the most complete means of affecting control and preservation of land. The full title to land and all rights associated with it are purchased, or accepted as a donation, at a price equivalent to its value at its "highest and best" use, or fair market value. A discussion of different types of fee simple acquisition techniques follows.

2. Bargain Sale

In this case, the owner agrees to sell the land for less than fair market value. This type of sale is often used by land trusts or a government agency to acquire open space lands because it can be relatively affordable. Besides the benefit to the public and the environment, the incentive to the seller is the income tax deduction for the difference in the price received for the property and its fair market value

3. Eminent Domain

Eminent Domain is the right of the federal, state or local government to take land for public purposes with the payment of just compensation (fair market value) to the landowner. Any such taking, known as condemnation, must be based on demonstration of general public benefit and public use such as the provision of parkland or the protection of wildlife habitat. A taking by means of eminent domain can be for the purpose of acquiring either the land itself or an easement. While the property owner(s)

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may agree to, or even request, the taking by the public agency because of certain tax advantages the government action confers (known as “friendly condemnation”), procedures involved in a direct taking through eminent domain may be adversarial and time consuming and may involve considerable legal process, and typically results in payment of a higher price than would have occurred through a willing seller transaction.

4. Right of First Refusal and Purchase Options

Sometimes a public agency needs more time to arrange financing for an open space purchase and at the same time wishes to ensure that no one purchases or develops the land before the agency is able to buy it. In such a case, a city or county could obtain a right-of-first refusal. This is an agreement between a landowner and a potential buyer in which the landowner agrees that if he or she receives a legitimate offer from another party, the holder of the right of first refusal will have a specified period of time to match the offer and acquire the property, if desired. Rights-of-first refusal can be especially useful to landowners that want to guarantee a neighbor or land trust a chance to purchase their property in the event of a forced sale.

A purchase option allows a potential buyer a specific period of time to purchase a property at a specified price and terms. There must be a separate consideration paid for the option that will be lost if the option is not exercised. The option period gives the potential buyer time to explore or arrange funding to conserve the property. This technique is frequently used by open space districts and trusts in conjunction with grant applications or campaigns to secure funds to complete the purchase.

5. Less Than Fee Interest

There are situations when outright ownership may not be available or necessary to preserve open space on specific parcels. On land in which the goal is to preserve a viewshed or ridgeline, for example, it may be more appropriate and relatively less expensive for land to be purchased or held in less than fee interest. The following is a discussion of common less than fee interest methods.

6. Reservation of Life Estates, Defeasible Fee

The reservation of a life estate is an arrangement in which property is sold in fee but the seller reserves the right for the seller or another designated party to live there for the rest of their lives. This offers the opportunity for the owner to get cash in the near-term, and ensure they, and/or their loved ones will be able to remain on the property, while the purchasing agency or organization gains assurance that the property will not be further developed or disturbed, and will eventually be wholly owned. A variation on this arrangement is defeasible fee ownership, wherein the fee ownership is specified to change after a certain period, such as 25 years, or under certain conditions. These arrangements have occasionally been used by open space agencies and organizations to accommodate the interests of sellers or to reduce the net cost of acquisitions.

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7. Conservation Easements

The recipient of a conservation or open space easement (typically a public agency or a land trust) buys or is given only the right to prohibit development or significant alteration of the area covered by the easement, while the owner retains all property rights not limited by the easement. Conservation easements are typically perpetual restrictions that run with the title to the land. Only in rare circumstances are they changed, and if so, amendments must be consistent with the terms and intent of the original agreement.

Each easement is different, reflecting the conservation values of the property and the goals of the landowner. Rights may be positive (providing the public with the opportunity to hunt, fish, or hike on the land), or restrictive (limiting the uses to which the landowner may devote the land in the future). Most easements allow some residential or even commercial use, as long as natural resource values are protected. Public access rights can be included in the conservation easement, but in most cases private landowners prefer to restrict public use.

The Conservation Easement Act (Civil Code sections 815-816) enables a city, county, district or non-profit organization to acquire perpetual easements for the conservation of open space and agricultural land, or for historic preservation. The Act does not require conservation easements to conform to local general plans. The Open-Space Easement Act of 1974 (Section 51070-51097 of the Government Code) authorizes local governments to accept easements granted to them or to non-profit organizations for the purpose of conserving open space or agricultural lands. A municipality must have an adopted Open Space Element prior to acquisition of an open space easement and the easement must be consistent with the local jurisdiction's general plan.

Conservation or open space easements may be appropriate in the City of Brisbane to preserve a view of a privately owned hillside that is considered a scenic asset, or for acquisition of a public hiking trail through privately held property. .

Granting easements can be advantageous to a landowner. A perpetual easement provides significant property and federal income tax benefits to the landowner because he/she is allowed to write off the value of the easement when the holder of the easement is a non-profit or government organization. Term easements, for a period of time, may also be placed on a property, but federal income tax deductions are only allowed with perpetual easements. The existence of an easement restricting the owner's use of a portion of the property may also entitle the owner to reduce the assessed value of the property and thereby reduce the property taxes. Granting an easement also generally allows the landowner to continue current uses including residential, farming activities and recreation. Flexibility is another advantage of easements. Each agreement can be structured to meet the particular goals of the landowner, and need not include the entire property. Options may also be included for limited development of parts of the property. Finally, easements can offer permanent protection, with the land trust or government agency ensuring that restrictions are followed.

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Disadvantages to easements include the need for monitoring and enforcement of the conditions of the deed, a task that many localities cannot afford to perform. In addition, while the favorable tax treatment an easement receives helps the landowner, it also represents a revenue reduction for the local government. However, the revenue loss to the local government from easements would be less than that from fee acquisition which would totally remove the property from the tax roll. While easements are typically less expensive than a fee simple purchase, in areas where development pressures are strong, such as San Mateo County, they can be nearly as expensive.

8. Purchase of Development Rights/Credits (PDR)

The principles of the PDR system are explained above under *Transfer of Development Rights*, in *Regulatory Methods*. PDRs are most often used for agricultural land preservation or to protect viewsheds. By purchasing a relatively small amount of strategically located land for open space preservation, Brisbane could potentially use a PDR program to protect a substantial amount of the Brisbane Acres subarea from development. PDRs are advantageous to public agencies in that the land remains on the tax roll, although at a reduced value, and the cost of maintenance is borne by the private landowner. In light of small budgets, PDR offers a way for local governments to preserve lands in perpetuity without incurring the cost of purchasing fee title(although development rights may cost as much as outright ownership in areas like Brisbane that have a high potential for urban development).

9. Voluntary (Low or No-Cost) Preservation Programs

Although they tend to be limited in scope, voluntary open space land preservation programs can be effective and efficient. Voluntary land preservation programs are seldom controversial and land acquired through these methods usually remains as permanent open space. Many voluntary programs, such as land donations, may qualify the property owner for tax incentives. Another potential voluntary arrangement may be trading under-utilized city-owned properties that have no park, recreation, or open space values for properties that do have such values.

a. Land Donations

Local governments and land conservation trusts can encourage gifts or bequests of open space lands or funds with which to purchase such lands and thereby permanently preserve open space and sensitive and unique natural features.

Land donations may be an option for landowners that want to preserve their land after their lifetime, and do not have heirs available/interested in preserving it. Some owners donate or sell their land at a bargain rate and retain a life estate for themselves or others, with provisions that there will not be further development of the property, as discussed above under *Life Estates*. Land donations offer income tax deductions and capital gains

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tax avoidance while accomplishing permanent land protection. To be eligible for a tax deduction, donations must be made to a qualified non-profit organization such as a land trust or to a public entity. Landowners are often able to provide instructions to the land trust on how to manage the land. Some land trusts ask donors to set aside an endowment to pay for property management. Easements can also be donated to an agency or land trust while the remaining property interests are retained by the landowners or conveyed to someone else.

b. Notification, Recognition and Non-binding Agreement Programs

A basic technique to prevent harm to important resources is a notification program. Owners who are made aware of important resources on their properties are usually more willing to protect them once they understand their importance. A notification program may logically follow a comprehensive environmental and natural resource lands inventory, such as this Open Space Plan. Notification generally consists of a letter by a public agency describing why the property is significant.

Recognition programs have been used by federal, state and local governments as well as non-profit organizations to offer public relations incentives to a property owner in return for protecting sensitive lands. Non-binding agreements, many in association with recognition programs, serve to protect natural resources. Owners would agree in writing to protect specified features of their property and could receive in return a plaque or certificate that acknowledges the special nature of the property and the owner's contribution to its protection.

c. Stewardship Agreements

This is a temporary or permanent donation of specifically identified property rights to an organization (usually non-profit). The agreement may provide significant property tax benefits to the landowner while permanently protecting natural and unique areas from development. Stewardship agreements work in the same way that a conservation easement does but might be used for areas that do not meet the requirements necessary to be protected through such an easement.

10. Acquisition by Federal, State and County Agencies

There are many governmental agencies and private nonprofit organizations involved in the acquisition and/or preservation of open space lands, particularly Bay shore and wetlands areas, and significant park and resource areas such as San Bruno Mountain. It is likely that these agencies would acquire lands for open space purposes within the city limits of Brisbane only if the land is contiguous to other land owned by the agencies, and has significant resource value. Potentially, through state or federal grants, the California Department of Fish and Game, the San Mateo County Parks and Recreation Division, or the California Department of Parks and Recreation, for example, may be interested in land acquisitions to add to San Bruno Mountain State and County Park. These agencies

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could work in concert with the City of Brisbane. Numerous other county, state and federal agencies could also have a role in planning and arranging potential purchase or dedication of open space land within Brisbane.

C. Open Space Preservation Organizations

Independent open space preservation organizations may generally be divided into two types: public open space districts, and private land trusts or foundations.

1. Open Space District

An open space district is an independent special agency with an elected board of directors that is created by a majority vote of the residents within the territory of the proposed district, or by one or more cities or counties. New funding for the district may require approval of 2/3 of the voters in the affected area. Such regional park or open space districts are established under the authority of State Resources Code Section 5500 *et seq.* Final approval of the district must be given by the respective county Local Agency Formation Commission (LAFCO). The district's boundaries may coincide with those of individual cities or counties, include only a part of a city or county, or cross jurisdictional lines. There is no special open space district currently serving northern San Mateo County, but 1994 Brisbane General Plan Policy 93i states, "investigate establishing or joining special open space acquisition districts."

The primary function of an open space district is to acquire, preserve and maintain open space. Open space districts are principally financed by property tax revenues and can levy special assessments for open space purposes if approved by voters or property owners. They are also authorized to levy special taxes, subject to approval by a two-thirds vote by the electorate. Open space districts may also receive land grants and gifts and may employ debt financing measures such as general obligation bonds.

Open space districts are often effective at preserving open space because of their narrow focus. Because an open space district's revenues may only be spent for open space purposes, a steady flow of funding for the long-term implementation of an open space plan is more likely to occur.

2. Private Land Trusts

A land conservation trust is typically a private, non-profit organization established for the purpose of preserving or conserving open space, wildlife habitats and natural resource and agricultural lands through acquisition. A local government may establish cooperative policies with a local land trust or a national trust. Land trusts, whether they are local, state or national in scope, are typically funded through membership dues and donations from individuals, businesses, corporation and foundation grants, and property gifts. A number of land trusts also use public funds to purchase and manage open space. Land trusts represent the fastest growing sector of land conservation in the United States.

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Land trusts preserve open space resources in a variety of ways – from fee simple acquisitions to conservation easements. Land trusts may also purchase land and resell it with deed restrictions that guarantee the property's open space character. Much like a special district, a land trust is able to work outside the structure of government and thus, has more flexibility in acquiring land, and the ability to employ innovative approaches to land preservation. Often, after obtaining the land or development rights, the trust transfers its rights to a governmental agency at below-market rate. A private land trust may be in a better position than a public agency to take advantage of purchases at reasonable prices (below market value) and to negotiate tax saving deals to landowners.

Factors that have contributed to the success of land trusts include flexibility to adapt to changing conditions, public support, donations, and partnership approaches between landowners and management organizations. The success of land trusts as a land preservation tool has been limited by their reliance on private donors, a lack of public knowledge regarding their function, and the difficulty in saving large blocks of land. In most cases, the transaction is between willing buyers and sellers, or between an organization and a willing donor. There is often little to no government involvement as long as the transaction conforms to the local area government's comprehensive plan.

Lands trust organizations that have been locally active include the Trust for Public Land (TPL), the Pacifica Land Trust, the Peninsula Open Space Trust (POST) and the Nature Conservancy. Other private organizations that actively work and provide resources for the acquisition and/or preservation of open space lands include the Bay Area Open Space Council, Greenbelt Alliance, the Land Trust Alliance, the Planning and Conservation League and the Rails-to-Trails Conservancy.

D. Funding Alternatives

This section describes some of the more common enabling acts and techniques that can be used to fund open space. The methods described below primarily address acquisition of open space – the major up-front cost – but they may also apply to access improvements, resource management and restoration, and general land management.

1. City General Fund Revenues

City General Fund revenues may be used for any public purpose deemed necessary by the City Council, including the purchase of open space. General Fund revenues, by their nature have fewer restrictions attached compared to bond funds or grant funds. Since 1977, the Brisbane City Council has, as part of its annual budget approval process, allocated funds into an Open Space Acquisition Fund. The City Council's policy is to increase the amount of this allocation by 10% each succeeding fiscal year. Monies from the Open Space Acquisition Fund have already been used to purchase, or provide matching funds for the purchase of, several parcels in the Brisbane Acres.

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2. Special Tax vs. General Tax

A special tax is a non-ad valorem tax that is levied by a city, county or special district to finance specific projects. A special tax requires approval by a two-thirds majority of the voters. A special tax contrasts with general taxes such as an ad valorem property tax or a hotel tax. These general taxes are collected and placed in a city's or county's general fund, and are not dedicated to any special purpose, but are typically imposed to pay for capital improvements or services that will be used by the entire community.

3. General Obligation Bonds

In 1986 California voters enacted Proposition 46, which authorizes cities and counties to issue general obligation bonds "for the acquisition and improvement of real property," including open space. Local governments, subject to a two-thirds voter approval, secure general obligation bonds by raising property taxes (based on property values) above the one percent limit set by Proposition 13. The size of the bond issue is discretionary with City Council and voters.

Many investors perceive property taxes as being less risky than the security of other types of indebtedness, and therefore, general obligation bonds may be issued at relatively lower interest rates than revenue bonds, for example. Consequently, general obligation bonds can be relatively inexpensive funding mechanisms for local governments.

4. State and Regional Obligation Bonds

The sale of state general obligation bonds enables state agencies to grant money to local governments for specific purposes such as acquiring and improving beaches, local parks, and open space. Local governments may be required to contribute matching funds. Regional bond acts can also be a source of funds for open space acquisition.

5. Mello-Roos Special Tax

The Mello-Roos Community Facilities Act (Government Code section 53311 *et seq.*) is a financing technique that authorizes cities, counties and special districts to levy a special tax and issue bonds primarily intended to finance open space acquisition or other public improvements. Under the Mello-Roos Act, governments or special districts are given the authority to create community facilities districts (CDFs), which sell bonds to finance infrastructure needs and repays them with an annual parcel tax. CDF boundaries need not be contiguous and areas may be excluded from the district where there is sufficient open space or where voters oppose a tax levy. A CDF requires a two-thirds voter approval or, in certain areas, approval by two-thirds of the property owners.

6. Parcel Tax

A parcel tax is a city-wide tax that can be earmarked for the acquisition of open space upon approval by two-thirds of the voters. Such a tax could be either a flat rate per parcel,

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an amount per \$100 assessed value, or a special formula designed to spread the cost in a specific way.

7. Special Assessment District

A special assessment district is a financing tool used to fund a beneficial project or service for parcels of property within a designated area. The property owners in the district are then assessed in proportion to the amount of benefit received for each parcel. Assessment levies, in the aggregate, may not exceed the project's total cost. Assessments are typically related to public improvements, but may be used to purchase open space lands to protect viewsheds, for example.

Assessment districts may be initiated by either the local legislative body or by a petition of property owners. The local legislative body determines the boundaries and nature of the special assessment district and its formation does not require a local vote. Nevertheless, formation proceedings must be abandoned if the sponsoring jurisdiction receives protests from a majority of the affected landowners. The local legislative body, however, may override these protests by a four-fifths vote.

8. State and Federal Grants

State and federal funding is available on a case-by-case basis. In some cases, local matching funds are required. There are many alternative grant funding sources for acquisition, improvement and to support or augment aspects of operation. Appendix 3 of Volume II includes tables covering public and private grant sources for environmental, parks and open space purposes. Key local public grant sources include the San Francisco Bay Trail Project, administered by the Association of Bay Area Governments; the Bay Area Conservancy Program, administered by the California Coastal Conservancy; the U.S. Fish and Wildlife Service; the California Department of Fish and Game, Wildlife Conservation Board; and the Proposition 12 Bond funds, administered by the California Department of Parks and Recreation and other agencies. Significant local private grant sources focused on the environment include, among others, the William and Flora Hewlett Foundation, the San Francisco Foundation and the Walter and Elise Haas Fund.

The next few years should hold unprecedented opportunities for grant funding of parks and open space acquisition and improvement. Passage of State Proposition 12 in March, 2000 provided over \$2 billion for parks, open space and environmental programs. Political effort is building to replenish the federal Land and Water Conservation Fund, and many other funding proposals are being discussed at federal and state levels. Private grant programs, such as those administered by the Packard Foundation, are currently providing vital seed money for open space planning, improvements and management, including the county-wide open space study, and this sort of environmental philanthropy is increasing.

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