



## PLANNING COMMISSION AGENDA REPORT

**Meeting Date:** June 12, 2025

**From:** John Swiecki, Community Development Director

**Subject:** Specific Plan 2021-SP-01 & Environmental Review 2021-ER-01;  
Brisbane Baylands Specific Plan Draft Environmental Impact Report  
Public Comment Meeting.

### Background

The City of Brisbane, as the lead agency under the California Environmental Quality Act (CEQA), published a Draft Environmental Impact Report (Draft EIR) for the Brisbane Baylands Specific Plan Project on April 3, 2025. The Draft EIR identifies the likely environmental impacts associated with the implementation of the proposed project and recommends mitigation measures to reduce potentially significant impacts.

The purpose of this Planning Commission meeting is to provide the public with the opportunity to comment on the Draft EIR. Comments received at this public meeting and any written correspondence received during the public review period (April 3, 2025 - September 2, 2025, at 5 PM) will be included in the Final EIR and the City will prepare responses to any significant environmental issues raised in those comments.

The Planning Commission will eventually be asked to “review and consider” the Final EIR and make recommendations on the content of the Specific Plan and related approvals to the City Council. However, this meeting only requests comments from the public.

While a project description is provided for reference below, the planning application and related approvals are not under consideration at this meeting. The public and the commission will have the opportunity to comment on the planning application at a later public hearing.

As discussed under CEQA Guidelines Section 15204(a) “In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.”

### Project Description

The applicant, Sunquest Properties Inc. (“Sunquest”) and its development manager, Baylands Development Inc. (“BDI”), collectively referred to as the “applicant,” are proposing a Specific Plan for development of 2,200 dwelling units, 6.5 million square feet of commercial office development, an additional 500,000 square feet of hotel use, and a middle school; resource conservation and outdoor recreational areas; and construction of associated on-site and off-site infrastructure. Requested City approvals include

- Amendments to the General Plan Land Use and Circulation Elements
- Adoption of a Baylands Specific Plan, including:
  - Change of Zone from Commercial Mixed-Use (C-1), Marsh Lagoon Bayfront (MLB), Manufacturing (M-1) to Baylands Specific Plan; and
  - Amendments to Title 17, Zoning, of the Brisbane Municipal Code to establish the land use regulations and development standards set forth in the Baylands Specific Plan as the regulatory authority governing development within the Baylands Specific Plan area.
- Approval of a Development Agreement

There are other actions not included within the Specific Plan but are related to Specific Plan implementation. These related actions are identified in the EIR project description and analyzed in the Draft EIR. These actions include:

- Establishing the California Water Service Company (Cal Water) as the water service agency for the Baylands, Sierra Point, and Beatty subareas of the City of Brisbane;
- Reconfiguration of Bayshore Boulevard from four lanes (two in each direction) to two lanes (one in each direction), along with turn lanes, a multi-use trail, and bus turnouts.
- Relocation of the existing North County Fire Authority Brisbane Fire Station No. 81, conversion of the existing station for use as a training facility, and establishment of a new station within the Baylands.
- Construction of a Middle School within the Baylands and conversion of the existing Bayshore School to an Elementary School.

The Draft EIR Project Description ([Draft EIR Chapter 3](#)) provides a more detailed description of the proposed project.

### **CEQA Overview**

An informational sheet with frequently asked questions about CEQA is attached to this staff report for reference. In summary, EIR preparation begins with initial project review, circulation of a Notice of Preparation (NOP) and scoping. A NOP for the Project EIR was released to receive written comments and suggestions as to the appropriate scope of analysis in the EIR from all interested parties from February 20, 2020, to March 20, 2020. A scoping meeting was held on March 4, 2020, at 7:00 p.m. A revised NOP for the Project was released for public review from

April 26, 2023, to May 25, 2023, with a scoping meeting held on May 9, 2023. The NOP was recirculated to account for revisions to the project description, including adding a 250-megawatt (MW) battery storage facility and onsite electrical substation as part of Baylands development and relocation of North County Fire Authority Brisbane Fire Station No. 81.

### Summary of Project Impacts

An EIR's analysis of environmental impacts is divided into resource areas, as shown in Table 1 below. The Draft EIR (Attachment B) found significant and unavoidable impacts would result from the proposed project within four resource areas, impacts that are less than significant with mitigation for nine resource areas, and less than significant impacts for seven resource areas.

**Table 1: Resource Area Impact Summary**

Less-than-Significant or No Impacts	Less-than-Significant Impacts with Mitigation	Significant and Unavoidable Impacts
<ul style="list-style-type: none"><li>• Agricultural and Forestry Resources</li><li>• Energy Resources</li><li>• Mineral Resources</li><li>• Population and Housing</li><li>• Public Services</li><li>• Recreation</li><li>• Utilities, Service Systems, and Water Supply</li></ul>	<ul style="list-style-type: none"><li>• Aesthetics</li><li>• Biological Resources</li><li>• Cultural and Tribal Cultural Resources</li><li>• Geology, Soils, and Seismicity</li><li>• Hazards and Hazardous Materials</li><li>• Hydrology and Water Quality</li><li>• Land Use</li><li>• Transportation</li><li>• Wildland fire</li></ul>	<ul style="list-style-type: none"><li>• Air Quality</li><li>• Greenhouse Gas Emissions</li><li>• Noise &amp; Vibration</li><li>• Public Services</li></ul>

These resource areas and mitigation measures are described in more detail in the Draft EIR, and a summary of all impacts and related mitigation measures is presented in the Draft EIR Executive Summary (see pages ES-11 to ES-142).

### Next Steps

The public review period will be followed by preparation of a Final EIR, responding to comments received during the public Draft EIR review, as well as the preparation of a Mitigation, Monitoring, and Reporting Program (MMRP). The Final and Draft EIR document, along with the required project entitlements, will be reviewed by the Planning Commission and the City Council at additional noticed public hearings in the future prior to any decision on the project.

### ATTACHMENTS

2025-RZ-02  
6/12/2025 Meeting

- A. [Draft EIR and Appendices](#)
- B. CEQA FAQs

  
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John Swiecki, Community Development Director



# CEQA FAQ

## City of Brisbane

### What is CEQA?

The California Environmental Quality Act (CEQA) is a state law that requires state and local agencies to inform decisions makers and the public about the potential environmental impacts of proposed projects, and to identify ways to avoid or mitigate those impacts, if feasible. If a project has the potential to result in a potentially significant effect on the environment, the public agency must prepare an Environmental Impact Report (EIR).

### What CEQA is and what CEQA is not:

- CEQA is a process, not a permit
  - It doesn't prescribe development standards.
  - It doesn't specify regulations that projects must follow (local, state, and federal codes apply and applicable regulations are included in the analysis).
  - It doesn't prescribe study methods.
  - It doesn't recommend whether a project should be approved or denied
- It does require analysis and disclosure of the project's potential impacts, mitigation when feasible, and discussion of those impacts through a public process.
- CEQA places primary responsibility in the hands of the Lead Agency, which is the public agency that has the principal authority for carrying out or approving a project.

### What is an EIR?

An EIR is a document that contains in-depth studies of potential environmental impacts of a project, including construction and operation of a project, mitigation measures to reduce or avoid significant impacts, and an analysis of alternatives. The EIR itself does not determine whether a project will be approved; instead, it is an informational and disclosure document taken under consideration during the City's decision-making process.

### What are the contents of an EIR?

Generally, an EIR covers the following resource areas:

- |                          |                                 |                        |                               |
|--------------------------|---------------------------------|------------------------|-------------------------------|
| • Aesthetics             | • Energy                        | • Land Use & Planning  | • Recreation                  |
| • Agriculture & Forestry | • Geology & Soils               | • Mineral Resources    | • Transportation              |
| • Air Quality            | • Greenhouse Gas Emissions      | • Noise                | • Tribal Cultural Resources   |
| • Biological Resources   | • Hazards & Hazardous Materials | • Population & Housing | • Utilities & Service Systems |
| • Cultural Resources     | • Hydrology & Water Quality     | • Public Services      | • Wildfire                    |

An EIR also includes a project description, describes the environmental setting, identifies significant project and cumulative impacts, growth-inducing impacts, significant irreversible environmental changes, feasible mitigation measures to avoid or lessen any significant environmental impacts, and alternatives to the project.

### Who must comply with CEQA, and who is responsible for certifying an EIR?

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a public agency or a private activity that requires discretionary approval from a public agency and may cause either a direct physical change or a reasonably foreseeable indirect change in the environment. Discretionary approval means that there is an exercise of judgment or deliberation by a governing body, such as the Planning Commission or City Council, in determining whether a project will be approved or a

permit will be issued. Discretionary approvals include Design Permits, Conditional Use Permits, and legislative actions such as Zoning Amendments and General Plan Amendments.

### Who prepares the EIR and who pays for it?

An EIR must reflect the independent judgement of the lead agency. The lead agency contracts with a qualified environmental consultant to prepare an EIR. The applicant is responsible for paying for the cost of EIR preparation through a reimbursement agreement with the City.

### What are the major steps to the CEQA Process and when can I provide input on a CEQA document?

Public input is a critical component of the CEQA environmental review process. There are many opportunities to participate including via email, mail, or during public meetings. Additionally, when a Draft EIR has been completed, the City must notify the public that the Draft EIR is available for review and comment through the Notice of Availability (NOA). The NOA will include general information about a project; the comment period; the date, time, and location of public meetings; and the location where the Draft EIR and supplemental information is available for review. The public review and comment period is generally 45 days.

Major steps include:

Activity	Purpose	Public Participation Opportunity
<b>1 Notice of Preparation (NOP)</b>	Communicates to the public, agencies, and organizations an EIR is being prepared. Also serves to solicit input on the scope and content of the environmental information to be included in the EIR.	<b>Public Comment.</b> The NOP is typically circulated to nearby property owners, posted on the project website, mailed to responsible agencies, and filed with the County Clerk and the State Clearinghouse. The public may submit comments at any time during the public comment period. <b>Public Meeting.</b> A public meeting is held to solicit scoping comments from the public.
<b>2 Draft EIR</b>	The Draft EIR includes a project description, identification of significant environmental impacts, feasible mitigation measures and alternatives	The Draft EIR includes publication of NOP public comments.
<b>3 Notice of Availability (NOA)</b>	An NOA signals that the Draft EIR is available for public review and comment for no less than 45 days. The NOA also identifies where the Draft EIR may be reviewed and how to submit comments on the Draft EIR.	<b>Public Comment.</b> The NOA is typically circulated to nearby property owners and interested parties, posted on the project website, and filed with the County Clerk and the State Clearinghouse. The public may submit comments at any time during the public comment period. <b>Public Meeting.</b> A public meeting is held to solicit comments from the public on the Draft EIR.
<b>4 Final EIR</b>	A Final EIR includes the Draft EIR, responses to public comments received during the Draft EIR comment period and any additional relevant project information.	The Final EIR includes comments and responses to Draft EIR public comments.
<b>5 Certification</b>	A certification is an official position taken by the City indicating that the EIR has complied with CEQA for the identified project.	<b>Public Hearing.</b> The decision-making body certifies the EIR with a portion of the meeting dedicated to public comment.

**How is public input addressed in the Final EIR?**

The Final EIR includes the Draft EIR, comments received on significant environmental issues, and responses to such comments. Comments should focus on the sufficiency of the Draft EIR in identifying and analyzing environmental impact, and ways in which the significant environmental effects of the project might be avoided or reduced. The City, as the lead agency for the project, in turn, must evaluate all comments on significant environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issue raised.

**How Does an EIR Influence Decision-making?**

The Lead and Responsible Agencies must consider the information in the EIR before taking final action on the project. Feasible mitigation must be incorporated into the approval, reducing the project's environmental impacts. Mitigation becomes conditions of approval or other requirements enforced by the agency. The City Council must explain itself: findings are adopted to describe the disposition of each significant impact and rejected alternatives. A "Statement of Overriding Considerations" is adopted if any impacts are unavoidable.

**Where can I learn more about the CEQA Process?**

The California Governor's Office of Land Use and Climate Innovation provides additional material and links to learn about CEQA. Please visit <https://lci.ca.gov/ceqa/> for more information.