



PLANNING COMMISSION AGENDA REPORT

Meeting Date: September 12, 2024

From: Jeremiah Robbins, Associate Planner

Subject: **General Plan Amendment 2024-GPA-1;** Citywide; General Plan amendment to the Health and Safety Element to update the date of the most recently adopted Local Hazard Mitigation Plan; and finding that this project is categorically exempt from environment review under CEQA Guidelines Section 15061(b)(3).

REQUEST: That the Planning Commission adopt the attached resolution, updating the Community Health and Safety Element (Safety Element) of the General Plan to reflect the most recently adopted Local Hazard Mitigation Plan (LHMP) to comply with State Assembly Bill 2140.

RECOMMENDATION: Recommend that the City Council adopt the draft update of the Community Health and Safety Element, via adoption of Resolution 2024-GPA-1.

ENVIRONMENTAL DETERMINATION: Exempt by General Rule, per State CEQA Guidelines Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect on the environment and this proposed action would have no possibility for such significant effect.

APPLICABLE CODE SECTIONS: State law contains requirements applicable to LHMPs and the link to safety elements, codified in Sections [8685.9](#) and [65302.6\(a\)](#) of the Government Code.

Background

The proposed action is tied to the federal Disaster Mitigation Act of 2000, which authorized the “President to establish a program of technical and financial assistance to states and local governments to assist in the implementation of pre-disaster hazard mitigation measures that are cost effective and are designed to reduce injuries, loss of life, and property damage and destruction...” Following that Act, the City participated in the preparation of a hazard mitigation plan. It was developed in partnership with the Association of Bay Area Governments (ABAG) and approved by the Federal Emergency Management Agency (FEMA) in 2005.

In 2006, the state adopted Assembly Bill (AB) 2140 which added provisions specifying what is to be included in a local hazard mitigation plan and required linkage between the local jurisdiction’s LHMP and the Safety Element of the General Plan for federal funding eligibility. AB 2140 requires the City to adopt a local hazard mitigation plan as part of the General Plan Safety Element in order to qualify for certain funding through the California Disaster Assistance Act.

In 2020, a coalition of San Mateo County cities and special districts embarked on an update of the 2016 version of the San Mateo County Hazard Mitigation Plan. It was completed and collectively approved by FEMA and the California Office of Emergency Services (CalOES) approved

in October of 2021. Brisbane's City Council adopted that update to the LHMP on November 18, 2021 and the Council previously updated the Safety Element to reference the 2016 version of the LHMP in early 2019. Ongoing amendments to the LHMP are scheduled for 5 years intervals, although that may be accelerated if needed. The complete San Mateo County Hazard Mitigation Plan may be referenced from the City's website: <https://www.brisbaneca.org/cd/page/other-plans-and-documents#LHMP>.

In June of this year, the Local Hazard Mitigation Planning Unit of the Recovery, Hazard Mitigation Planning Branch of the California Governor's Office of Emergency Services informed the City it was not eligible for federal funding under AB 2140 since our General Plan was not updated to reflect the adopted, 2021 LHMP.

Discussion

This legislation requires local jurisdictions to either cross reference the LHMP in the Safety Element or include the LHMP language specific to AB 2140 as part of the Safety Element to be fully eligible for disaster relief funding. The City's Safety Element already includes a reference to the LHMP, as updated in 2019, but in order to maintain eligibility for federal funding authorized under AB 2140, the Safety Element must directly reference to the most recently adopted, 2021 LHMP.

The following change is proposed under Section X.1 of the Safety Element:

At the time of this writing, the latest Hazard Mitigation Plan was adopted in ~~2015~~ 2021 and it is scheduled for updates on a 5-year basis. This plan may also be referred to as the Local Hazard Mitigation Plan (LHMP), since, while it is a county-wide plan, it is also specific to the individual jurisdictions.

The footnotes referencing the LHMP, as well as the Emergency Management Plan, would be updated as well for clarity. An excerpt of the proposed redlines is included as Attachment B.

ATTACHMENTS

- A. Draft Resolution 2024-GPA-1 (including the Draft City Council Resolution – Exhibit A – and Draft Safety Element excerpt – Exhibit B)
- B. Redline Excerpt of Proposed Amendments to Brisbane's Safety Element
- C. Link to [Volume 2 of the Local Hazard Mitigation Plan, dated October 2021](#), including Brisbane's local annex (beginning on page 147 of the document).


Jeremiah Robbins, Associate Planner


John Swiecki, Community Development Director

**Draft
RESOLUTION 2024-GPA-1**

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
RECOMMENDING THAT THE CITY COUNCIL
AMEND THE COMMUNITY HEALTH AND SAFETY ELEMENT OF THE GENERAL PLAN
TO REFLECT THE MOST RECENTLY ADOPTED, 2021 LOCAL HAZARD MITIGATION PLAN

WHEREAS, Section X.1, Emergency Preparedness of the Safety Element, in the Community and Safety Element of the General Plan (Safety Element) currently makes reference to a 2016 Local Hazard Mitigation Plan (LHMP); and

WHEREAS, consistent with the federal Disaster Mitigation Act of 2000, State Assembly Bill (AB) 2140 requires cities to reference the most recently adopted LHMP into the Safety Element of the General Plan, by either cross reference or by integration of the two documents, in order to qualify for the maximum amount of disaster aid through the California Disaster Assistance Act; and

WHEREAS, in 2020, a coalition of San Mateo County cities and special districts, including the City of Brisbane, updated the county-wide Hazard Mitigation Plan, dated October 2021, with each member participating in the preparation and adopting their respective local sections; and

WHEREAS, the City of Brisbane adopted the 2021 LHMP on November 18, 2021, as part of the San Mateo County Hazard Mitigation Plan, dated October 2021, and was subsequently approved by the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CalOES); and

WHEREAS, the 2021 LHMP provides guidance and insight to the hazards that exist in the City of Brisbane and suggests possible mitigation measures; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, and the written and oral evidence presented to the Planning Commission; and

WHEREAS, the Planning Commission's recommended update to the Emergency Preparedness section of the Safety Element and the minutes of the Planning Commission meeting of September 12, 2024 are attached and incorporated by reference as part of this resolution; and

WHEREAS, the Planning Commission finds that the proposed amendment is exempt from the California Environmental Quality Act by General Rule, per State CEQA Guidelines Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect on the environment and this proposed action would have no possibility for such significant effect; and

General Plan Safety Element Amendment
ATTACHMENT A

NOW, THEREFORE, BE IT RESOLVED, based upon the evidence presented, both written and oral, the Planning Commission of the City of Brisbane hereby RECOMMENDS that the City Council adopt the attached update to the Community Health and Safety Element of the General Plan, which would include reference to the adopted 2021 LHMP as part of the Safety Element.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Commission of the City of Brisbane during the Regular Meeting of the Planning Commission on the twelfth day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

Alex Lau
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

Draft
RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE
AMENDING THE COMMUNITY HEALTH AND SAFETY ELEMENT OF THE GENERAL PLAN
TO INCORPORATE THE CITY OF BRISBANE’S 2021 LOCAL HAZARD MITIGATION PLAN
INTO THE ELEMENT

WHEREAS, Section X.1, Emergency Preparedness of the Safety Element, in the Community and Safety Element of the General Plan (“Safety Element”) currently makes reference to a 2016 Local Hazard Mitigation Plan (“LHMP”); and

WHEREAS, consistent with the federal Disaster Mitigation Act of 2000, State Assembly Bill (AB) 2140 requires cities to reference the most recently adopted Local Hazard Mitigation Plan (LHMP) into the Safety Element, by either cross reference or by integration of the two documents, in order to qualify for the maximum amount of disaster aid through the California Disaster Assistance Act; and

WHEREAS, the City of Brisbane adopted the 2021 LHMP on November 18, 2021, as part of the San Mateo County Hazard Mitigation Plan, dated October 2021, and was subsequently approved by the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CalOES); and

WHEREAS, the 2021 LHMP provides guidance and insight to the hazards that exist in the City of Brisbane and suggests possible mitigation measures; and

WHEREAS, on September 12, 2024, the Planning Commission considered all pertinent testimony, written and oral, and adopted Planning Commission Resolution 2024-GPA-1, recommending that the City Council adopt an amendment to the Safety Element in General Plan, by amending Section X.1 Emergency Preparedness, which includes reference of the adopted 2021 LHMP as part of the Safety Element; and

WHEREAS, the City Council held a public hearing on the amendment to Safety Element on _____, 2024, and considered the testimony presented and reviewed the Planning Commission's recommendation and the Planning Commission’s minutes of its meeting, which is incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brisbane finds as follows:
Section 1.

- A. The adoption of the amendment to the Safety Element is exempt from the California Environmental Quality Act by General Rule, per State CEQA Guidelines Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect

General Plan Safety Element Amendment
EXHIBIT A to ATTACHMENT A

on the environment and this proposed action would have no possibility for such significant effect;

- B. The amendment to Section X.1, the Emergency Preparedness section of the Safety Element, as described above and as set forth on the attached Exhibit A, has been prepared consistent with State law;
- C. The amendment to the Emergency Preparedness section of the Safety Element does not make substantive changes to goals, policies, programs, standards, or maps of the Safety Element, but is to incorporate by reference, the City of Brisbane's 2021 LHMP.
- D. The amendment to the Emergency Preparedness section of the Safety Element supersedes that previously adopted section; and

Section 2. The General Plan of the City of Brisbane is amended by the amendment to X.1, Emergency Preparedness of the Safety Element as set forth on the attached Exhibit A.

Section 3. This resolution shall be effective immediately upon its adoption.

Terry O-Connell, Mayor
City of Brisbane

* * * *

I, the undersigned, hereby certify that the foregoing Resolution _____ was adopted at a regular meeting of the Brisbane City Council on _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ingrid Padilla, City Clerk
City of Brisbane

Approved as to form:

Thomas R. McMorow, City Attorney

X.1 EMERGENCY PREPAREDNESS

Emergency preparedness is critical for the well-being of Brisbane. Even though it is a small city, Brisbane's location in the San Francisco Bay Area puts it at risk for potential disasters, such as airplane crashes, major fires and hazardous materials incidents, in addition to earthquakes, landslides and floods. With limited access points and the physical barriers created by the Bay and the Mountain, it is necessary for the City to think carefully and plan well for the safety of its citizens.

Brisbane has developed an Emergency Operations Plan, also referred to as an Emergency Management Plan⁽⁹⁾. That plan is updated regularly and provides procedures and establishes responsibilities for managing both manmade and natural disasters. It provides directions on evacuating the City, providing shelter and basic necessities, and on emergency communications and field responses. The Emergency Management Plan works in concert with a number of multi-agency mutual aid plans and with local volunteer efforts.

One such multi-agency effort is in the preparation of the [County-wide Hazard Mitigation Plan](#)⁽¹⁰⁾. That plan responds to the federal mandates for emergency readiness provided in the Disaster Mitigation Act of 2000. The Hazard Mitigation Plan was prepared through a coalition of San Mateo county cities and special districts, to pool resources and create a uniform and coordinated hazard mitigation strategy across the county. That coordinated effort also helps ensure eligibility for federal grant funding. Individual agencies are responsible for participation in the preparation and adoption of their respective sections by all the jurisdictional partners, the plan is then subject to approval by the California Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA). The latest Hazard Mitigation Plan was adopted in 2021 and it is scheduled for updates on a 5-year basis. This plan may also be referred to as the Local Hazard Mitigation Plan (LHMP), since, while it is a county-wide plan, it is also specific to the individual jurisdictions.

An Emergency Operations Center (EOC) has been built into City Hall. Regular training sessions and drills are conducted at the EOC using the Emergency Operations Plan. Field exercises are also held to maintain a state of readiness. (Refer to Safety background report (SA-1) for more information.)

The following policies address Emergency Preparedness:

Policy 148 Maintain the Emergency Operations Plan and continue to participate in the maintenance of the County-wide Hazard Mitigation plan as the central planning and management tools for disaster preparedness, response and recovery.

Program 148a: Through continuing participation in the coalition of San Mateo County cities and special districts, maintain the Local Hazard Mitigation Plan (LHMP) consistent with State Assembly Bill 2140 and applicable subsequent state and/or federal legislation. The [LHMP](#) is included by reference as part of this General Plan element and should be consulted when addressing known hazards to ensure the general health and safety of people within Brisbane.

FOOTNOTES

2. SA-1, p. 12
3. In addition to debris flows mapped by the U.S. Geological Survey in 1983, local incidents during the winter of 1982 were identified at the following locations: behind the building at 180 West Hill Place; from Harold Road to McLain Road at San Bruno Avenue; from Costanos Canyon to 405 Sierra Point Road; above Kings Road at San Mateo Lane; Sierra Point Canyon above Kings Road; from the Glen Parkway tank down Firth Canyon and through Firth Park to San Bruno Avenue; down Old Quarry Road to San Francisco Avenue; and numerous other locations on the Mountain. Source: Vince Marsili, City of Brisbane Public Works Department, 1994.
4. GP-5
5. The background report on Water (UT-3) contains a detailed description of the water systems and water quality in the planning area.
6. UT-2, Figure 2
7. A detailed description and analysis of the planning area's sewer system is contained in the Sewer System Evaluation background report (UT-2).
8. The Storm Drain background report contains detailed descriptions and analysis of the watersheds and storm water systems in the planning area.
9. The Emergency Operations Plan (EOP) is available on the City's website.
10. The Local Hazard Mitigation Plan (LHMP) is a large regional and cross-jurisdictional effort to plan for the reduction of risk from natural and man-made disasters as well as other hazards. It assesses hazard vulnerabilities and identifies mitigation actions to reduce the level of injury, property damage, and community disruption that might otherwise result from such events.

The Department of Emergency Management led the LHMP update, in coordination with County departments, all twenty cities (including Brisbane), and regional special districts. Please visit the County of San Mateo's website for additional information and resources related to the LHMP. Volume One and Volume Two of the most recent LHMP are available from the City's website.

Redline Excerpt of Proposed Amendments to Brisbane's Safety Element

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