

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
AMENDING THE CITY'S ZONING MAP BY REZONING PARCEL 2 .748 AC
MOL PARCEL MAP VOL 13/18 (APN #026-231-250) AND PARCEL 3 .327
AC MOL PARCEL MAP VOL 13/18 (APN #026-231-260), FROM C-1 ZONING
TO R-4 ZONING**

The City Council of the City of Burlingame hereby ordains as follows:

Division 1. Factual Background

WHEREAS, on September 14, 2018, The Hanover Company filed an application with the City of Burlingame Community Development Department – Planning Division requesting approval of a multi-family residential apartment development (150 units proposed), which included rezoning two parcels that make up the project site from C-1 (commercial) zoning to R-4 (multi-family residential) zoning; and

WHEREAS, that application was filed and deemed complete prior to the January 7, 2019 adoption of the General Plan Update and is therefore being considered under the previous General Plan; and

WHEREAS, the rezoning is appropriate and consistent in that the project includes rezoning the two parcels that make up the project site, Assessor's Parcel 026-231-250 and 026-231-260 from the C-1 (commercial) zone to the R-4 (multi-family residential) zone, which would be consistent with the adjacent R-4 zoning immediately to the west; and

WHEREAS, the City of Burlingame Zoning code indicates that multi-family residential uses are a permitted use within the multi-family residential (R-4) zone; and that the proposed project conforms to all development regulations for the multi-family residential (R-4) zone except as otherwise noted with concessions and waivers to development standards that are requested as part of the density bonus with the inclusion of 10% of the units offered as moderate BMR units and waiver from the R-4 front and rear setback requirements; and

WHEREAS, after considering all written and oral testimony presented at the January 13, 2020 public hearing regarding the proposed amendment, the Planning Commission voted 4-2-0-0 to recommend to the City Council, adoption of an ordinance amending the City's zoning map; and

WHEREAS, at its regular meeting of February 3, 2020 the Burlingame City Council introduced an ordinance, by title only, waiving further reading, amending the City's zoning map and conducted a duly noticed public hearing to consider the Planning Commission's recommendation to amend the City's zoning map.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGAME DOES ORDAIN AS FOLLOWS:

Division 2. The Burlingame zoning map is amended as follows:

Change the zoning of parcel 2 .748 ac mol parcel map vol 13/18 (APN #026-231-250) and parcel 3 .327 ac mol parcel map vol 13/18 (APN #026-231-260), from Shopping Commercial (C-1) to High Density Residential (R-4).

Division 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Division 4. This Ordinance shall be published in a newspaper of general circulation in accordance with California Government Code Section 36933, published, and circulated in the City of Burlingame, and shall be in full force and effect sixty (60) days after its final passage.

Emily Beach, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, certify that the foregoing ordinance was introduced at a regular meeting of the City Council held on the 3rd day of February, 2020, and adopted thereafter at a regular meeting of the City Council held on the 18th day of February, 2020, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Meaghan Hassel-Shearer, City Clerk