

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME FINDING THAT ADOPTION OF AMENDMENTS TO TITLE 25 (ZONING CODE) OF THE BURLINGAME MUNICIPAL CODE, CHAPTERS 25.59, 25.60, 25.26 AND 25.70 TO UPDATE EXISTING ACCESSORY DWELLING UNIT REGULATIONS TO BE CONSISTENT WITH RECENTLY ADOPTED AMENDMENTS TO CALIFORNIA GOVERNMENT CODE SECTIONS 65852.2 AND 65852.22 RELATED TO ACCESSORY DWELLING UNITS, IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15282 (H) WHICH EXEMPTS THE ADOPTION OF AN ORDINANCE REGARDING SECOND UNITS IN A SINGLE-FAMILY OR MULTIFAMILY RESIDENTIAL ZONE BY A CITY OR COUNTY TO IMPLEMENT THE PROVISIONS OF SECTIONS 65852.1 AND 6582.2 OF THE GOVERNMENT CODE AS SET FORTH IN SECTION 21080.17 OF THE PUBLIC RESOURCES CODE.

THE CITY COUNCIL OF THE CITY OF BURLINGAME finds as follows:

Section 1. On October 19, 2019, the State of California enacted legislation known as Assembly Bill 881, Assembly Bill 68, and Senate Bill 13, which, among other things, amended Sections 65852.2 and 65852.22 of the Government Code pertaining to accessory dwelling units and junior accessory dwelling units.

Section 2. The State of California has enacted legislation to encourage the construction of accessory dwelling units and junior accessory dwelling units in single family and multifamily residential zones, as further defined in this ordinance.

Section 3. The revisions to State Law became effective on January 1, 2020. Local jurisdictions are required to comply with the new requirements, which supersede local ordinances. The proposed zoning amendments would ensure that the Burlingame Municipal Code is consistent with the new recently adopted State regulations and to help clarify and improve various provisions of the accessory dwelling unit law to promote the development of accessory dwelling units and junior accessory dwelling units.

Section 4. Government Codes Sections 65852.2 and 65852.22 require the City of Burlingame to adopt zoning regulations in compliance with State law provisions regarding accessory dwelling units and junior accessory dwelling units.

Section 5. At a duly noticed public hearing was held on July 6, 2020, the City Council introduced an ordinance amending Title 25 – (Zoning Code) of the Burlingame Municipal Code, Chapters 25.59, 25.60, 25.26, and 25.70 to update existing Accessory Dwelling Unit regulations to be consistent with recently adopted amendments to California Government Code Sections 65852.2 and 65852.22 related to accessory dwelling units.

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Section 4. The proposed amendments to the zoning code related to accessory dwelling units are Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15282(h) which exempts the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 6582.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLINGAME THAT adoption of the amendments to Title 25 (Zoning Code) of the Burlingame Municipal Code, Chapters 25.59, 25.60, 25.26, and 25.70 to update existing Accessory Dwelling Unit regulations to be consistent with recently adopted amendments to California Government Code Sections 65852.2 and 65852.22 related to accessory dwelling units is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15282(h) which exempts the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 6582.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

Emily Beach, Mayor

I, MEAGHAN HASSEL-SHEARER, City Clerk of the City of Burlingame, certify that the foregoing resolution was adopted at a regular meeting of the City Council held on the 17th day of August, 2020 by the following vote:

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

Meaghan Hassel-Shearer, City Clerk