

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGAME AMENDING TITLE 25 (ZONING) OF THE CITY OF BURLINGAME MUNICIPAL CODE CHAPTERS 25.06, 25.10, 25.14, 25.16, 25.20 AND 25.78 AND AMENDMING THE CITY OF BURLINGAME ZONING MAP; CEQA DETERMINATION: EXEMPT PURSUANT TO STATE CEQA GUIDELINES 15378, 15061(b)(3)
PROJECT NO. ZOA26-0001**

WHEREAS, the City of Burlingame's Zoning Ordinance is codified in Title 25 of the Burlingame Municipal Code; and

WHEREAS, the boundaries, designations, and locations of the zoning districts established by the Zoning Ordinance are shown upon the map(s) entitled "City of Burlingame Zoning Map" and referred to in the Zoning Ordinance as the Zoning Map; and

WHEREAS, Senate Bill (SB) 79 was signed into law on October 13, 2025, prescribing certain development standards within certain radii of major transit stops, as defined in the bill, beginning July 1, 2026;

WHEREAS, SB 79 applies to properties in the City of Burlingame within one-quarter mile of the Millbrae BART/Caltrain Station and the Downtown Burlingame Caltrain Station; and

WHEREAS, SB 79 provides jurisdictions with the opportunity to create a local alternative plan with different development standards than those prescribed in the bill, provided the plan meets specified criteria; and

WHEREAS, on March 16, 2026, the Burlingame City Council directed staff to develop a local alternative plan; and

WHEREAS, the proposed amendments to Chapter 25.06, 25.10, 25.14, 25.16, and 25.78 of Title 25 (Zoning) will remove two existing overlay districts and create two overlay districts in new code sections that prescribe development standards within specified radii of the Downtown Burlingame Caltrain Station and the Millbrae BART/Caltrain station and incorporate such references in associated tables herein for the development of a local alternative plan to SB 79;

WHEREAS, the proposed amendments to City of Burlingame Zoning Map will be revised for consistency to reflect the amendments to Title 25 (Zoning) to create two overlays, the Downtown Burlingame TOD and the North Burlingame TOD, for the development of a local alternative plan to SB 79;

WHEREAS, the proposed text amendments to Title 25 (Zoning) and the City of Burlingame Zoning Map are Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Administrative Code, Section 15061(b)(3) in that it is not a Project which has the potential for causing a significant effect on the environment. This action is further exempt from the definition of Project in Section 15378(b)(2) in that it concerns general policy and procedure making; and

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on May 26, 2026, at which time it reviewed and considered the staff report and all other written materials and testimony presented at duly noticed public hearings; and

WHEREAS, on June 1, 2026, the City Council of the City of Burlingame held a duly noticed public hearing to consider the proposed text amendments to Title 25 (Zoning) at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing.

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

SECTION ONE. PURPOSE AND INTENT

The purpose and intent of this Ordinance is to adopt the Amendments to Title 25 (Zoning) of the Burlingame Municipal Code and the Zoning Map.

SECTION TWO. REQUIRED FINDINGS

Upon receipt of the Planning Commission's recommendation to approve the proposed Amendments to Title 25 (Zoning) and the Zoning Map, the City Council shall conduct a public hearing and either approve, approve in modified form, or deny the proposed Amendments based on the following findings:

1. *The proposed amendment is consistent with the General Plan and any applicable specific plan.*

The proposed Amendments to Title 25 (Zoning) are consistent with the goals and policies set forth in the General Plan. The Amendments implement policies and programs that work toward the removal of governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities, in compliance with State Housing Element Law.

These Amendments are consistent with the General Plan including the following goals: Goal CC-3 by protecting the character and quality of Burlingame's historical buildings, tree groves, open spaces, neighborhoods, and districts. Goal CC-8: Ensure that Downtown maintains its character and function as a vibrant, pedestrian-scaled, mixed-use district that supports and encourages a diversity of commercial businesses, treasured civic uses, activated office space, and housing for all income levels and people of all ages. Goal CC-11: Establish a high-intensity mixed-use development node at the north end of El Camino Real to take advantage of the proximity to the Millbrae BART/Caltrain station and SamTrans commuter routes.

In addition, the proposed Amendments align with *Principle 1: Balanced and Smart Growth* of the General Plan to allow residential growth to occur in targeted areas near transit by implementing provisions of State transit-oriented development law and *Principle 2: Community Character/Urban Forest* of the General Plan to be receptive to modern design

approaches that complement the Burlingame aesthetic and are harmonious with their surroundings by adjusting development standards to balance new approaches with the existing built environment.

2. *The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.*

The proposed amendments to Title 25 (Zoning) maintain the necessary development standards, review processes, and requirements that regulate new development and modifications to existing development within the City of Burlingame to protect the public interest, health, safety, convenience, or welfare of the City.

3. *The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.*

The proposed Amendments to Title 25 (Zoning) clarify ambiguous or contradicting language to make the Zoning Code more internally consistent and removes certain duplicative standards copied between the Downtown Specific Plan and North Rollins Specific Plan to ensure consistency. No new provisions or requirements have been added to the Zoning Code that would be inconsistent with other provisions of the Ordinance.

SECTION THREE. AMENDING CHAPTERS 25.06, 25.10, 25.14, 25.16, 25.20 AND 25.78 OF TITLE 25 OF THE BURLINGAME MUNICIPAL CODE

Chapters 25.06, 25.10, 25.14, 25.16, 25.20, and 25.78 of Title 25 of the Burlingame Municipal Code is amended as provided in Exhibit A, incorporated herein.

SECTION FOUR. AMENDING THE ZONING MAP

The Zoning Map is amended as provided in Exhibit B, incorporated herein.

SECTION FIVE. CEQA DETERMINATION

The City Council finds that the proposed text amendments are Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Administrative Code, Section 15061(b)(3) that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. This action is further exempt from the definition of Project in Section 15378(b)(2) in that it concerns general policy and procedure making.

SECTION SIX. EFFECTIVE DATE

This Ordinance shall become effective on the 31st day following its adoption.

SECTION SEVEN. SEVERABILITY

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.

SECTION EIGHT. PUBLIC NOTICE

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 on July 16, 2026.

SECTION NINE. GOVERNMENTAL AGENCY REVIEW

This Ordinance shall be provided to the California Department of Housing and Community Development for consistency review with California Government Code Section Government Code Sections 65912.155 through 65912.162.1. This Ordinance shall also be provided to the San Mateo County Airport Land Use Commission for consistency review with the San Francisco International Airport (SFO) Airport Land Use Compatibility Plan (ALUCP). The City Council authorizes the City Manager to make any additional clarifying or typographical amendments to Title 25 (Zoning) that are required by these governmental agencies to fulfil California State law and to ensure consistency with the SFO ALUCP.

SECTION TEN. CODIFICATION

Sections Three and Four of this Ordinance shall be codified in the Burlingame Municipal Code with any required changes from Section Nine incorporated. Sections One, Two, Five, Six, Seven, Eight, and Nine shall not be so codified.

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, certify that the foregoing ordinance was introduced at a public hearing at a regular meeting of the City Council held on the 1st of June, 2026, and adopted thereafter at a regular meeting of the City Council held on the 15th day of June 2026, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Meaghan Hassel-Shearer, City Clerk

Exhibits

Exhibit A – Title 25 Amendments

Exhibit B – Zoning Map