



STAFF REPORT

AGENDA NO: 10b

MEETING DATE: April 6, 2026

To: Honorable Mayor and City Council

Date: April 6, 2026

From: Neda Zayer, Community Development Director – (650) 558-7253

Subject: Introduction and First Reading of an Ordinance to Repeal and Replace Chapter 3.40 (Planning Commission) of Title 3 of the Burlingame Municipal Code, to Reduce the Number of Planning Commissioners, Select a Vice Chair, and Revise the Role of the Secretary

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing to introduce an Ordinance of the City of Burlingame to repeal and replace in its entirety Chapter 3.40, "Planning Commission," of Title 3 of the Burlingame Municipal Code; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15378, 15061(b)(3).

Recommended Procedure and Order of Operations:

- A. Receive the staff report and ask any questions of staff.
- B. Conduct a Public Hearing.
- C. Discuss the Ordinance and, by motion, determine whether to bring the Ordinance back for second reading and adoption. If the Council is in favor of the Ordinance, direct the City Clerk to publish a summary of the Ordinance at least five days before its proposed adoption.

BACKGROUND

The City of Burlingame Planning Commission is a decision-making body, subject to the Brown Act, responsible for acting on specified land use policies and permit applications, as defined by the Burlingame Municipal Code¹. Chapter 3.40, "Planning Commission," outlines the Commission's roles, responsibilities, and composition, establishing a seven-member body appointed by the City Council.

In light of recent changes in State law that have reduced the scope of discretionary review for housing projects, as well as ongoing challenges in recruiting Planning Commissioners with expertise in land use and design, the City Council has considered reducing the size of the Commission from seven members to five members through natural attrition.

¹ All statutory references are to the Burlingame Municipal Code, unless otherwise specified.

In 2025, two Planning Commission seats were available; the City Council reappointed one incumbent member and left one seat vacant. In the current year, three seats are available, and only two incumbent members have sought reappointment. Reappointing these two members would result in a five-member Planning Commission.

The proposed amendments to Chapter 3.40, “Planning Commission,” would formalize this transition, codifying the reduction of the Commission’s composition from seven members to five members.

Role of the Secretary

Section 3.40.030, “Meetings—Officers and Employees—Record of Proceedings,” currently states that the Planning Commission shall elect a Chair and Secretary from among its appointed members. Staff recommends revising this provision to instead require the election of a Chair and Vice Chair from among the appointed members, and to eliminate the requirement that a Secretary be selected from within the Commission.

Currently, responsibility for maintaining records of the Planning Commission’s proceedings, resolutions, and actions rests with staff of the Community Development Department, consistent with how the City Clerk’s Office maintains records for the City Council. To align the Municipal Code with current practice, staff recommends amending the Code to designate the Community Development Director, or their designee, as the Secretary to the Commission.

In addition, in order to streamline its administrative proceedings, the proposed Ordinance allows the Planning Commission to adopt its own rules of procedure without prior Council authorization.

Environmental Review

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

FISCAL IMPACT

There are no fiscal impacts associated with the adoption of the Amendments to Chapter 3.40 (Planning Commission) of the Burlingame Municipal Code.

Exhibits:

- Redline version of Chapter 3.40 (Planning Commission)
- Proposed Ordinance for Chapter 3.40 (Planning Commission)