



STAFF REPORT

AGENDA NO: 9a

MEETING DATE: March 2, 2026

To: Honorable Mayor and City Council

Date: March 2, 2026

From: Neda Zayer, Community Development Director – (650) 558-7253
Joseph Sanfilippo, Economic Development & Housing Specialist
Catherine Keylon, Senior Planner
Brittany Xiao, Associate Planner

Subject: Second Reading and Adoption of Ordinances to:

Amend Title 25 (Zoning) of the Burlingame Municipal Code, Excluding Chapters 25.22, 25.35, 25.36, 25.41, 25.42, 25.43, 25.44, 25.76, 25.84, 25.102, and 25.103; and Authorizing the City Manager to Incorporate Additional Amendments to Title 25 (Zoning) as required by Applicable Governmental Agencies; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15378, 15061(b)(3);

Repeal and Replace Chapter 26.32 (Condominium Conversion Permits) of Title 26 (Subdivisions) of the Burlingame Municipal Code; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15378, 15061(b)(3)

RECOMMENDATION

Staff recommends that the City Council adopt:

1. An Ordinance of the City of Burlingame amending Title 25 (Zoning) of the Burlingame Municipal Code, excluding Chapters 25.22, 25.35, 25.36, 25.41, 25.42, 25.43, 25.44, 25.76, 25.84, 25.102, and 25.103; and Authorizing the City Manager to Incorporate Additional Amendments to Title 25 (Zoning) as required by Applicable Governmental Agencies; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15378, 15061(b)(3).
2. An Ordinance of the City of Burlingame repealing and replacing Chapters 26.32 (Condominium Conversion Permits) of Title 26 (Subdivisions) of the Burlingame Municipal Code; CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15378, 15061(b)(3).

Recommended Procedure and Order of Operations

Staff recommends the following procedure:

1. Adopt the proposed ordinances.

2. Direct the City Clerk to publish a summary of the ordinances within 15 days of adoption.
3. Staff submits the adopted amendments to the California Department of Housing and Community Development (HCD) for review of the amendments related to the Accessory Dwelling Unit (ADU) regulations and programs related to the Sixth Cycle Housing Element.
4. Staff shares adopted amendments with the C/CAG's Airport Land Use Commission for consistency review with the San Francisco International Airport (SFO) Airport Land Use Compatibility Plan (ALUCP).

DISCUSSION

On February 17, 2026, the City Council introduced and held a public hearing for the proposed ordinances to amend Title 25 (Zoning) and Chapter 26.32 (Condominium Conversion Permits) of Title 26 (Subdivisions) of the Burlingame Municipal Code ([staff report](#)). One public comment was received at the hearing, and no written public comments were provided. Following the public hearing and discussion of the ordinances, the City Council unanimously voted to adopt the first reading of each ordinance and bring the ordinances back for second reading without any changes.

The proposed Municipal Code amendments can be organized into the following categories:

1. **Code Clarifications:** Correct inconsistencies and ambiguous language, and add clarifications to text and references; and
2. **Housing Element Implementation:** Implement Housing Element programs and policies identified in the 2023-2031 6th Cycle Housing Element; and
3. **Permit and Process Amendments:** Amend development review procedures and requirements to streamline processes for simpler application types; and
4. **TOC Policy:** Implement Metropolitan Transportation Commission (MTC) Transit-Oriented Communities (TOC) polices, as part of Plan Bay Area 2050.
5. **New ADU State laws:** New State laws related to Accessory Dwelling Units (ADU) were passed that become effective January 1, 2026. The ADU regulations found in Municipal Code Section 25.48.030 have been updated in accordance with State Law.

1. Code Clarifications

These updates fall into the following categories:

- **Typographical and reference corrections:** Non-substantive errors have been identified throughout the code and corrected.
- **Clarification of conflicting language:** Similar requirements appeared with different wording in multiple sections, creating confusion. These have been standardized for consistency.
- **Elimination of ambiguity:** Certain provisions lacked clarity or detail, leaving them open to interpretation. Additional language has been added to improve transparency and support consistent application for both the public and applicants.

2. Housing Element Implementation

The 2023-2031 6th Cycle Housing Element, which the City Council adopted on December 18, 2023, includes Implementation Programs to respond to new and emerging housing needs with specific objectives, funding sources, responsible agencies and time frames for implementation within the eight-year period.

The Municipal Code amendments include required changes to the Burlingame Municipal Code to implement the programs and policies identified for years 2023, 2024, and 2025.

3. Permit and Process Amendments

The Municipal Code amendments include several changes to the development review procedures to streamline processes for simpler application types. These were discussed in more detail with the Planning Commission as they are related to Planning Commission hearings and the permit types they review. The Planning Commission was supportive of the proposed changes that will aid applicants, property owners, staff, and the Planning Commission to move through the hearing process more effectively and efficiently. The changes include the following:

- Planning Commission Hearings: Eliminate the requirement for Study Session and Design Review Consultant panel
- Minor Planning Applications: Change review of Master Sign Programs and Small-Scale Commercial Recreation Uses from discretionary to Director-level
- Single-unit Dwelling Requirements: Allow nonconforming setbacks to be rebuilt in the same location and same dimensions and increase maximum plate height allowed
- Parking requirements: Simplify requirements for off-street parking for single-unit dwellings
- Community Benefits: Additional benefits were added or rewritten for clarity

4. MTC TOC Policy

The Metropolitan Transportation Commission (MTC) introduced the Transit-Oriented Communities (TOC) Policy to implement Plan Bay Area 2050, the Bay Area's long-range plan for transportation, housing, economy, and the environment. The TOC Policy supports transit-oriented development principles and advances various housing policies related to production, preservation, and protection. While compliance with TOC Policy is voluntary, MTC has indicated that the OBAG-4 funding cycle will be tied to TOC Policy compliance. Based on Council direction given at the July 7, 2025 City Council meeting, the following Municipal Code amendments have been drafted to meet compliance with TOC Policy.

- *Protection Policy 2: No Net Loss and Right to Return to Demolished Homes*
- *Protection Policy 4: Condominium Conversion Restrictions*
- *Parking Management Policy*

5. New ADU State Law

New State laws related to Accessory Dwelling Units (ADU) became effective January 1, 2026. The ADU regulations found in Municipal Code Section 25.48.030 have been updated in accordance with State law.

FISCAL IMPACT

There are no fiscal impacts associated with the adoption of the Amendments to Title 25 (Zoning) and Title 26, Chapter 26.32 (Condominium Conversion Permits) of the Burlingame Municipal Code.

Exhibits:

- Ordinance for Title 25
- Ordinance for Title 26, Chapter 26.32