



# STAFF REPORT

AGENDA ITEM NO: 9a

MEETING DATE: November 19, 2018

**To: Honorable Mayor and City Council**

**Date: November 19, 2018**

**From: Kevin Gardiner, Community Development Director – (650) 558-7253**

**Subject: Consideration of Adoption of the General Plan Update and Environmental Impact Report (EIR)**

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## **RECOMMENDATION**

Staff recommends that the City Council open the public hearing to consider adoption of the update to the City's General Plan and Environmental Impact Report (EIR).

## **BACKGROUND**

In March 2015, the City of Burlingame initiated a multi-year process focused on a community-led effort to update the City's General Plan and Zoning Ordinance, called "Envision Burlingame." The General Plan and Zoning Ordinance are the City's two documents that regulate all land use, environmental, and transportation decisions made by City leaders.

The Envision Burlingame process will result in goals and strategies for desired change in the City by answering the question: "How do we want Burlingame to look, function, and feel 25 years from now?" To answer this question, residents, business owners, and other community members have been engaged in a comprehensive discussion regarding mobility, urban design, recreation and parks, health, natural resources, and economic development opportunities.

The Public Review Draft of the General Plan was released in August 2017. The draft plan is available on the Envision Burlingame website at [www.envisionburlingame.org](http://www.envisionburlingame.org), and on the City of Burlingame website at [www.burlingame.org/generalplan](http://www.burlingame.org/generalplan).

The Draft Environmental Impact Report (DEIR) was released on June 28, 2018. The Draft EIR analyzes the potential impacts related to the implementation of the General Plan at a "programmatic" level, as authorized by the California Environmental Quality Act (CEQA). The Draft EIR is intended to serve as an informational document for use by Planning Commission, City Council, other public agencies, and the community in their consideration of the proposed General Plan.

The Final Environmental Impact Report (FEIR) has been prepared with responses to comments on the Draft Environmental Impact Report (DEIR). The City published a Notice of Availability and circulated the DEIR for public review and comment from July 3, 2018 through August 20,

2018. The FEIR provides responses to comments received during the public review and comment period.

The Draft and Final EIR are available on the Envision Burlingame website at [www.envisionburlingame.org](http://www.envisionburlingame.org), and on the City of Burlingame website at [www.burlingame.org/generalplan](http://www.burlingame.org/generalplan).

The update to the General Plan includes all chapters except for the Housing Element. The Housing Element is a comprehensive document that addresses a range of housing issues such as affordability, housing types, density, location, and housing programs. It was most recently updated in 2015. All local governments within the State of California are required to periodically update their housing elements on a schedule determined by the State Office of Housing and Community Development (HCD). The timeframe for the next update is in approximately five years, by 2023.

**City Council Review.** The City Council reviewed the General Plan and EIR at its November 5, 2018 meeting. In that meeting, the consultant team provided an overview of both the Draft General Plan and Draft EIR (presentation slides attached). The City Council received public input and provided direction to staff and the consultant team. (Please refer to the Draft November 5, 2018 City Council meeting minutes).

Previously, the City Council reviewed the General Plan at various key intervals through the process, including:

- Review of Draft Concept Alternatives as part of the annual joint meeting with the Planning Commission on March 19, 2016;
- Review of the preliminary Land Use Plan on September 7, 2016;
- Discussion of a build-out analysis on December 2, 2016;
- Discussion of employment projections on September 18, 2017; and
- Project updates as part of the annual joint meetings with the Planning Commission on April 15, 2017 and May 2, 2018.

**Planning Commission Review and Recommendation.** The Planning Commission reviewed the General Plan at various key intervals through the process, including:

- Joint meetings with the City Council;
- Review of the preliminary Land Use Plan at a study session on July 13, 2016;
- Overview and public comment session on the Draft General Plan and Draft EIR on July 11, 2018;
- Discussion of historic resource approaches and policies on August 10, 2018.

At its meeting on October 22, 2018, the Planning Commission recommended approval of the General Plan and EIR to the City Council, with the following changes and clarifications:

- Acceptance of staff and consultant suggestions for follow-up actions to public comments as presented with the staff report;
- Further discussion of historic resource approaches and policies.

**Community Advisory Committee (CAC).** A Community Advisory Committee (CAC) was established by the City Council early in the process to advise the project team throughout the development of the updated General Plan. Members included representatives from a variety of organizations and perspectives, including neighborhood groups, business groups, transportation and housing advocacy groups, and environmental organizations, as well as residents representing a range of perspectives, including youth, renters, and seniors. The role of the CAC has been to connect with the various communities and stakeholders of Burlingame for the purpose of advising and making recommendations to the Planning Commission and City Council. The CAC held a total of 18 meetings between July 22, 2015, and August 30, 2017.

**Community Engagement.** The General Plan Update has included a range of community engagement activities including four City Council study sessions, three community workshops, numerous stakeholder interviews and intercept surveys, focus groups, an online survey, and collaborations with students from Burlingame High School and local universities.

## **DISCUSSION**

**Additional Policies Proposed at November 5, 2018 City Council Meeting.** The November 5, 2018 City Council meeting presentation included several additional policies to be considered for the General Plan:

**Coordination with School Districts.** Two additional policies are proposed to be added to the General Plan to continue the City's on-going commitment to supporting local schools:

- **City and District Collaboration.** *Assist local school districts in identifying potential school locations to serve growth in enrollment.*
- **School Partnerships:** *Support creative public-private partnerships to facilitate the funding and development of public school facilities.*

**Variable Massing in Downtown.** An additional policy is proposed that would allow portions of new buildings in Downtown to be taller than 55 feet provided other portions of the same building are lower than 55 feet. The intent is to provide a more varied roofline, particularly on larger buildings or sites.

- **Variable Massing in Downtown.** *Allow portions of new buildings in Downtown to be taller than 55 feet when other portions of the same building are lower than 55 feet, in order to maintain an average height of 55 feet.*

The policy as initially presented did not include an absolute maximum height, but the highest building height in the Downtown Specific Plan is 75 feet in the R-4 District (with a Conditional Use Permit). The proposed policy specifies the maximum height would be no taller than 75 feet.

**City Council Written Feedback.** Subsequent to the November 5, 2018 meeting, Councilmembers provided staff with written feedback and questions on the Public Review Draft.

Staff has compiled feedback from Councilmembers into a single consolidated document (Exhibit A). The document shows suggested edits and deletions, as well as commentary and questions. Each comment or edit expresses the opinion of an individual Councilmember but does not necessarily reflect the opinions or direction of the full Council. The intent is to represent the range of individual Councilmember feedback for consideration by the full City Council. In some instances, there are clusters of comments where several Councilmembers provided similar feedback on an item.

**Areas of Further Discussion.** Staff and the consultant team have identified a few areas for further discussion based on discussion at the November 5, 2018 City Council meeting, and from written comments received from councilmembers.

**Revised Historical Preservation Policies.** There was consensus among the members of the Council to revise Policies CC-3.2 (Comprehensive Historical Surveys) and CC-3.5 (Historic Districts) to allow the issue to be further evaluated. Further study could allow consideration of other approaches such as surveys and context statements, or possibilities for streamlining individual evaluations.

Policy CC-3.2 is proposed to be revised as follows:

- **CC-3.2: Historic Evaluation Approaches.** *Evaluate options for identifying potential historic resources, both to allow property owners to utilize historic preservation incentives, and as a consideration in development review.*

**City Hall.** The Community Character chapter includes a policy regarding the potential to relocate City Hall. The policy reflects discussions held prior to the General Plan Update that considered options for replacing the City Hall facility, due to its obsolescence:

- **CC-8.8: City Hall Site.** *Explore options for relocation of City Hall to another location within Downtown convenient for residents and the business community, and consider reuse of the City Hall site for other beneficial uses, including housing and open space.*

In written comments, Councilmembers have suggested revising the policy, so it is less definitive, or alternatively to omit the policy altogether.

**Auto Row.** The California Drive Mixed Use District (which includes the California Drive Auto Row) is a Planning Area within the Downtown Specific Plan. The height limit is 35 feet, or up to 55 feet with a Conditional Use Permit. One of the major property owners within the district has expressed an interest in allowing a higher height limit, in order to facilitate mixed use development including workforce housing. While the height limit could be revisited as part of the Zoning Ordinance Update, in written comments there has been Councilmember interest in further defining the California Drive Mixed Use District within the General Plan, and possibly providing direction to the characteristics of mixed use development within the district. Given the identified need for further exploration and community input, staff recommends that any changes to allowable height be included as part of a coordinated set of plan updates.

**Broadway Height Limits.** The Broadway Mixed Use District has two policies that describe height limits alternatively as either two or three stories. The concept is to allow additional intensity at California Drive and El Camino Real, but in written comments Councilmembers have asked to clarify whether the remainder of the Broadway corridor would be limited to two or three stories.

**Adeline Drive/El Camino Real Commercial Node.** The commercial node at the corner of Adeline Drive and El Camino Real is comprised of two properties, each currently zoned C-1 Commercial. The zoning is an anomaly; other than Broadway, it is the only commercially-zoned area on El Camino Real located between Downtown and Dufferin Avenue.

Through the General Plan Update process, there have been varying proposals for the designation of the properties in this commercial node. The consultant team and staff have suggested either the Broadway Mixed Use designation, or a variation of the North Burlingame Mixed Use designation that would be contingent on a height limit consistent with the surrounding neighborhood. Written comments from Councilmembers indicate a need for further clarity of the designation. For reference, the properties to the north and south along El Camino Real are zoned R-3 Multifamily Residential, which has a height limit of 35 feet (or up to 55 feet with a Conditional Use Permit).

**Draft General Plan Public Comments.** The November 5, 2018 City Council staff report included prepared responses to written public comments received since the Public Review Draft was released in August 2017. Suggested responses range from text edits, to inclusion of additional new policies.

The consultant team has been assembling the suggested revisions into an edited/mark-up draft. The intent is to reflect the full range of edits proposed to the plan in response to public comments. Based on direction provided at the November 19<sup>th</sup> meeting, the consultant team and staff will add further edits reflecting input from the City Council. A final mark-up draft will be presented for adoption at the December 17, 2018 City Council meeting.

**Interim Zoning.** “Envision Burlingame” is the combined update of the Burlingame General Plan and Zoning Ordinance. The next phase of work will be the Zoning Ordinance Update. Ultimately, the entire zoning code will be rewritten, and it is anticipated to take approximately one year.

State Law requires zoning ordinances to be consistent with the respective general plan. Given the amount of time that will be required to prepare the complete Zoning Ordinance Update, staff has directed the consultant team to initially focus on interim regulations applicable to the most significant “change areas” identified in the Draft General Plan. These include:

- North Burlingame Mixed Use Zone
- North Rollins Road Mixed Use Zone (Live/Work Zone)

The approach will allow interim zoning for these two areas to be adopted concurrently with the General Plan, so that consistent zoning would be in place for the areas with the most significant changes to land use and building form. State Law allows interim zoning to be extended for up to two years, which can be effective when a general plan revision or major rezoning is underway in

order to achieve general plan consistency. New or updated specific plans for the respective areas could also be developed while the interim zoning is in place.

A subcommittee of the Planning Commission consisting of Commissioners Kelly, Loftis, and Terrones has been formed to evaluate the interim chapters, as well as the full zoning code as it is developed. The subcommittee has met twice to review drafts of the North Burlingame and North Rollins Road chapters, and the full Planning Commission reviewed the chapters at its November 13, 2018 meeting (Planning Commission staff report attached). In that meeting, the Planning Commission recommended that the City Council adopt the interim chapters as proposed, with the provision that the North Burlingame Mixed Use standards reflect the Council's direction to establish a maximum density of 140 dwelling units per acre (rather than 120 units per acre as shown in the draft).

A recent California Supreme Court case has created the potential that, if zoning in change areas lags behind the General Plan, the City's ability to review and approve applications in the change areas could be at risk. In order to avoid this problem, interim zoning for the primary land use change areas is being introduced concurrently with the General Plan.

While the North Burlingame Mixed Use and North Rollins Road chapters have been developed to be adopted on an interim basis as an urgency ordinance, much thought has been given to the approach and standards. This includes an innovative "tiered" approach to development, in which the highest residential densities and commercial floor areas would require provision of community benefits such as affordable housing, open space, and enhanced streetscapes. As drafted, affordable units would be a requirement to achieve the highest residential densities. The regulations also provide streetscape standards with sidewalk and street tree specifications that would be aligned with the hierarchy of street types provided in the General Plan.

### **FISCAL IMPACT**

None.

#### Exhibits:

- November 5, 2018 City Council Meeting Presentation Slides
- Exhibit A: General Plan Public Review Draft: Councilmember Feedback
- November 13, 2018 Planning Commission Staff Report – Interim Zoning Chapters