

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO AMENDING ARTICLES II (SUBDIVISIONS) AND III (ZONING) OF TITLE 12 (LAND USE) OF THE MUNICIPAL CODE BY AND FINDING THE AMENDMENTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF SAN BRUNO DOES ORDAIN AS FOLLOWS:

Section 1. Based on the facts in the Staff Report, written and oral testimony, and exhibits presented, the City Council hereby makes the following findings of facts in support of the proposed Municipal Code amendments:

- A. The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to ensure the public health, safety, and general welfare of its citizenry; and
- B. The proposed San Bruno Municipal Code Amendments are consistent with the General Plan and Specific Plans of the City of San Bruno; and
- C. It is in the public interest for the City to establish reasonable, up-to-date, and comprehensive development standards and regulations; and
- D. The proposed Municipal Code Amendments will not be detrimental to the health, safety, morals, comfort and general welfare of the Citizens of San Bruno.
- E. The zoning code amendments were considered by the San Bruno Planning Commission on December 19, 2023, at a duly noticed public hearing. At the conclusion of the public hearing, the Planning Commission adopted Resolution No. 2023-07 recommending that the City Council adopt the zoning code amendments.
- F. A notice of public hearing was duly posted for consideration of this proposed ordinance at the City of San Bruno City Council meeting on XX 2024, and on said date, the public hearing was opened, held and closed and the Ordinance was introduced.

Section 2. Editorial guidance. The following non-substantive editorial style is used. Words that are underlined are additions; words with a line through are deleted; and words in [brackets] are instructions for the Code publisher and which instructions are not to be published in the City's Code unless worded as an "editor's note".

In addition, the Code publisher will arrange definitions and other changes alphabetically to conform to the Code's current style and will, as needed, re-order numbering and lettering changes caused by these amendments. The City Clerk and the City Attorney are authorized to work with the Code Publisher to effectuate non-substantive amendments to ensure consistency as to form and style of the Code.

Further, the code publisher is directed to substitute the name of an office and/or position wherever possible rather than use a gender pronoun without further or formal amendments.

Section 3. A new section 12.080.297 is hereby added to Chapter 12.80 (Definitions) of Article III (Zoning) of Title 12 (Land Use) of the Municipal Code to read as follows:

“12.80.297 Lot Coverage means all the area of a lot, as projected on a horizontal plane, which is:

1. Covered by enclosed structures or buildings, including accessory structures; or
2. Covered by structures such as decks, porches, stairs and/or landings that are constructed more than one foot above existing grade.
3. Lot coverage excludes uncovered porches, landings decks and stairs constructed at grade or less than one foot above grade.”

Section 4. A new section 12.080.506 is hereby added to Chapter 12.80 (Definitions) of Article III (Zoning) of Title 12 (Land Use) of the Municipal Code to read as follows:

“12.80.506 Veterinarian. Establishments where household animals receive medical and surgical treatment and may be temporarily boarded (more than one-night stay) in association with such medical or surgical treatment. Short-term animal boarding may be provided as an accessory use.”

Section 5. Section 12.84.170 (Exceptions to setback requirements) of Chapter 12.84 (General Provisions, Conditions and Exceptions) of Article III (Zoning) of Title 12 (Land Use) of the Municipal Code is hereby amended to read as follows:

12.84.170 Exceptions to setback requirements.

A. Architectural features, such as cornices, eaves, and canopies, shall not be constructed closer than three feet from any side lot line nor project more than six feet into any required front or rear yard.

B. Open porches, decks, landings and outside stairways exceeding one foot above existing grade may project not closer than three feet from any side lot line and not exceeding six feet into any required front or rear yard.

C. Where sixty percent or more of the lots in a block have been improved with buildings, the minimum required front yard shall be the average of the front yard of the improved lots if said average is less than the requirements of this article.

D. On any substandard lot which qualifies as a building site pursuant to the provisions of this article, the width of each side yard may be reduced to ten percent of the width of such parcel, but in no case to less than three feet.

E. In cases where existing structures were built with setbacks which establish the existing front, side and rear yards, or for proposed new structures, a request by the property owner or developer for reassignment of yards can be made to the Community Development Director. The Community Development Director will consider the existing neighborhood development pattern, adjacent property structure locations and potential impacts to adjoining properties prior to approval.

F. Whenever the first story of a dwelling in an R-1 district projects within a required side or rear setback due to the granting of a variance, architectural review permit, or as built, due to the status of the projection as a nonconforming use, or where such projection has existed for not less than ten years, the second story of such dwelling may be built or added to so as to project within any such

setback to a degree not greater than the projection of the first story without the necessity of a variance or architectural review permit.”

Section 6. Section 12.96.150 (M-1 Industrial District) of Chapter 12.96 (Establishment of Districts), Section 12.96.150 of Article III (Zoning) of Title 12 (Land Use) of the Municipal Code is hereby amended to read as follows:

12.96.150 M-1 industrial district.

A. Purpose. To establish areas for warehousing, light manufacturing, and fabrication.

B. Permitted Uses. The following uses, conducted entirely within an enclosed structure, are permitted in the M-1 district:

1. Warehousing, wholesaling, and distribution on sites less than one acre;
2. Light manufacturing and processing on sites less than one acre;
3. Emergency shelters, subject to the provisions set forth in Section 12.96.205.

C. Conditional Uses. Conditional uses, conducted entirely within an enclosed structure, subject to obtaining a use permit and architectural review permit, are as follows:

1. Industrial and manufacturing uses that may be obnoxious by reason of the emission of dust, odor, noise, glare or other nuisance, including uses such as the following:
 - a. Auto-related uses such as vehicle repair and maintenance and gas and service stations;
 - b. Auto wrecking;
 - c. Building materials;
 - d. Contractor yards;
 - e. Manufacture, handling, or storage of dangerous materials;
 - f. Lumberyards;
 - g. Any use which in the opinion of the planning commission is similar to the above conditional uses.
 - h. Firearm dealers, subject to the limitations set forth by Section 6.08.070(H).
 - i. Cannabis distribution facilities subject to the provisions of Chapters 4.70 and 12.300.
 - j. Any warehousing, wholesaling, distribution or other light industrial use on sites over one acre in size.

D. Development Regulations. Development regulations for the M-1 district are as follows:

1. Minimum building site: Eight thousand square feet.
2. Minimum lot width: Sixty feet.
3. Required minimum setbacks: None.

4. Maximum coverage by all structures: Sixty percent.
5. Maximum allowable height: Thirty-five feet. Fifty feet for buildings located on properties greater than one acre in size.
6. In the case of conditional uses, additional regulations may be required.
7. Parking: As set forth in Chapter 12.100.
8. Architectural review permit: As set forth in Chapter 12.108.

Section 7. The “Civic/Institutional” parking requirements of Table 12.100-1 (Citywide Off-Street Parking Requirements) of paragraph A. of Section 12.100.030 (Off-Street parking requirements) of Chapter 12.100 (Off-Street Parking and Loading) of Article III (Zoning) of Title 12 (Land Use) of the Municipal Code is hereby amended to read as follows, with all other provisions in Section 12.100.030 and Table 12.100-1 remaining in effect without amendment:

| Use Category | Land Uses | Number of Required Parking Spaces |
|------------------------------|--|---|
| Civic / Institutional | Community Facilities, Places of Worship | 1 space per 300 <u>100</u> square feet of floor area |
| | Hospitals, Nursing and Convalescence Homes | 1 space per 400 square feet of floor area |
| | Emergency Shelters | 1 space for every 10 beds, or the community and economic development director may reduce the parking requirements if the emergency shelter can demonstrate a lower parking demand |

Section 8. Paragraph A (Type of Street) of Section 12.44.070 (Street Improvements) of Chapter 12.44 (Improvement Standards) of Article II (Subdivisions) of Title 12 (Land Use) of the Municipal Code is hereby amended to read as follows, with all other provisions of Section 12.44.070 remaining in effect without amendment:

12.44.070 Street improvements.

A. Type of Street. Public streets shall be designed based on the standards below, except that an alternative design may be approved as part of a tract or parcel map.

| Type | Right-of-Way Width | Curb Width | Traffic Index |
|----------------------------------|--------------------|------------|---------------|
| Major | 96 feet | 74 feet | 8+ |
| Collector with Bike Lanes | 66 feet | 48 feet | 7 |
| Collector | 60 feet | 40 feet | 6 |
| Minor | 50 feet | 36 feet | 5 |
| Major Industrial Without Parking | 60 feet | 40 feet | 8 |

| | | | |
|----------------------------------|----------------|----------------|---|
| Minor Industrial Without Parking | 50 feet | 36 feet | 7 |
| Residential Cul-de-sacs | Radius-50 feet | Radius-40 feet | |
| Industrial Cul-de-sacs | Radius-60 feet | Radius-50 feet | |

Section 9. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) and 15378 (b)(5), that consideration of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project that has the potential for causing a significant effect on the environment.

Section 10. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the City of San Bruno hereby 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 unconstitutional.

Section 11. This Ordinance shall take effect and be in force 30 days after its adoption.

Section 11. The City Clerk shall publish this Ordinance according to law.

Rico E. Medina, Mayor

ATTEST:

Lupita Huerta, City Clerk

APPROVED AS TO FORM

Trisha Ortiz, City Attorney

---o0o---

I hereby certify that the foregoing Ordinance No. _____
was introduced on _____, 2024, and adopted at a
regular meeting of the San Bruno City Council on
_____, 2024, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

RECUSE: COUNCILMEMBERS:

Lupita Huerta, City Clerk