

ORDINANCE NO. 2022 - _____

**AN ORDINANCE OF THE CITY OF SAN BRUNO AMENDING ORDINANCE NO 1087
PROVIDING FOR INTERIM AUTOMOBILE SALES AT THE SHOPS AT TANFORAN
(APN 014-316-330) (PD 22-02)**

WHEREAS, , LLC ("Applicant") is the owner of that certain 3.28 acre site located at 1178 El Camino Real in the City of San Bruno and more particularly described as Assessor's Parcel Number 014-316-330 (the "Property"); and

WHEREAS, Applicant desires to establish two interim automobile dealerships (for Hyundai and Genesis) in the former Sears building at The Shops at Tanforan. The use would include automobile inventory storage on the ground floor and in the basement. Additionally, automobile servicing is proposed in the adjacent former Sears automobile servicing building. The interim use is anticipated for three to five years, until such time as a new dealership facility can be applied for and processed by the City, anticipated at The Crossing center by El Camino Real/I-380; and

WHEREAS, in order to develop the Project, Applicant has submitted an application to the City of San Bruno for approval of the following: to amend the existing Planned Development (PD) for The Shops at Tanforan to allow for interim automobile sales use and inventory storage, and a Planned Development Permit (PDP) for interim automobile sales and inventory storage in the former Sears building; and

WHEREAS, on July 12, the City Council found the Project to be exempt from CEQA. The project is Categorically Exempt from CEQA environmental review pursuant to CEQA Guidelines Class 1 (Section 15301), which recognizes the proposed operation and leasing of existing facilities involving negligible or no expansion of an existing or former use, while allowing for minor alterations or repairs of the existing facility. The project proposes no expansion of the former Sears retail building. The automobile sales uses will occur on the ground-floor of the former retail building, and would include placement of interior partitions, and minor changes to a rear access door on the ground floor to allow for vehicle access. Additionally, the use would include storage of automobiles partially on the ground-floor and in the basement. Automobile servicing will reuse the adjacent existing service building, with no proposed changes to the building beyond exterior painting. All proposed uses would be consistent with the Class 1 CEQA Categorical Exemption; and

WHEREAS, in Resolution Nos. 2022-08 and 2022-09, the Planning Commission recommended that the City Council amend the land uses in the Tanforan Planned Development to allow interim sales of automobiles and automobile inventory storage, and approve a Planned Development Permit for the project as proposed by Applicant; and

WHEREAS, a Notice of Public Hearing was duly posted and noticed for consideration of the ordinance amendment at the City of San Bruno City Council meeting of July 12, 2022, and on said date, the Public Hearing opened, held and closed;

NOW, THEREFORE, 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 makes the following findings of facts in support of the proposed ordinance amendment:

1. The proposed ordinance amendment is consistent with the General Plan of the City of San Bruno.
2. The request to amend the Ordinance has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and the San Bruno environmental review procedures and is Categorically Exempt.
3. The proposed ordinance amendment related to the interim use of car sales at Tanforan will not be detrimental to the health, safety, morals, comfort and general welfare of the Citizens of San Bruno.

Section 2. Amendment is made to Ordinance 1087, adopted by the City Council on January 10, 1966, and subsequently amended by the City Council of the City of San Bruno, so as to change subparagraph A of Section 1 of said ordinance by adding the following:

“7. Interim Automobile Sales and Automobile Inventory Storage uses shall be permitted in the former Sears building, subject to obtaining a Planned Development Permit.”

Section 3. This ordinance is categorically exempt from the California Environmental Quality Act pursuant because it is not a project and there is not a possibility that the ordinance may have a significant effect on the environment.

Section 4. 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 should 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 5. This Ordinance shall take effect and be in force 30 days after its adoption.

Section 6. The City Clerk shall publish this Ordinance according to law.

ATTEST:

Rico E. Madina, Mayor

Vicky Hasha, Deputy City Clerk

APPROVED AS TO FORM

Trisha Ortiz, City Attorney

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I hereby certify that the foregoing Ordinance No. _____ was introduced on July 12, 2022, and adopted at a regular meeting of the San Bruno City Council on July 26, 2022, by the following vote:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

Vicky Hasha, Deputy City Clerk