

**AN INITIATIVE ORDINANCE OF THE CITY OF SAN BRUNO AMENDING
ORDINANCE NO. 1284 (CHAPTER 12.26 OF THE SAN BRUNO MUNICIPAL CODE)
TO ALLOW, SOLELY WITHIN THE TRANSIT CORRIDORS PLAN AREA, NEW
BUILDING HEIGHT RESTRICTIONS, INCREASED DENSITY OF CERTAIN
RESIDENTIALLY ZONED PARCELS AND ABOVE-GROUND MULTI-STORY
PARKING STRUCTURES**

The people of the City of San Bruno do ordain as follows:

SECTION 1: This ordinance may be referred to as the Downtown and Transit Corridors Economic Enhancement Initiative.

SECTION 2: Upon appropriate application, the City of San Bruno shall have the authority to review, hold public hearings upon, deliberate upon, and approve, or deny, or modify any proposed development and inclusion of new buildings and related structures within the Transit Corridors Plan Area, shown on the Map in Exhibit 1, without further voter approval, subject to the following conditions, restrictions, and parameters:

- A. The maximum height of any building or structure shall be adjusted to allow an increase above the current height limit of 50 feet or 3 stories as follows (as shown on the map in Exhibit 1):
- i. The maximum height of any building or structure shall not exceed 70 feet or five stories along El Camino Real;
 - ii. The maximum height of any building or structure shall not exceed 65 feet or five stories along San Bruno Avenue, Huntington Avenue and between San Mateo Avenue and 2nd Avenue;
 - iii. The maximum height of any building or structure shall not exceed 55 feet or four stories along San Mateo Avenue;
 - iv. The maximum height of any building or structure shall not exceed 90 feet or seven stories in the Caltrain Station area;
- B. The density limits of 42 parcels that were zoned residential in 1974 (as shown on Map in Exhibit 2) shall be subject to the same development standards permitted in Transit Corridors Plan;
- C. A proposed development may include a variety of residential and commercial uses and parking structures; subject to a maximum height of any structure not to exceed *the height* limits set forth in Subsection A;
- D. Consistent with the adopted Transit Corridors Plan, certain architectural features such as dormers, roof-top cupolas, corner towers, elevator and mechanical equipment enclosures and other similar features promoting good urban design would be permitted extend up to ten feet beyond the height limits with the approval of the Planning Commission through a public review and approval process. No habitable space would be permitted in any such feature located above the building height limit

SECTION 3: As used in this ordinance, the term "Transit Corridor Plan Area" means the area of approximately 155 acres, located within the City of San Bruno, including Downtown San Bruno along San Mateo Avenue and adjacent streets, including El Camino Real, San Bruno Avenue and Huntington Avenue, as shown on the attached Transit Corridors Area map; more particularly described in the list of Assessor's Parcel Numbers in Exhibit 3.

SECTION 4: As used in this ordinance, the term "City of San Bruno" means the San Bruno City Council, the San Bruno Planning Commission, the Architectural Review Committee of the San Bruno Planning Commission, and any other officer or employee of the City of San Bruno, as set forth above, responsible for the approval and/or administration of projects involving physical development of real property in the City of San Bruno.

SECTION 5: In the event that any building or related structure governed by this ordinance is damaged by fire, explosion, flood, earthquake or other natural disaster or calamity, such building or related structure may be restored not to exceed the maximum permitted height or to exceed the number of stories approved by this ordinance without further voter approval, provided that any such reconstruction shall be in compliance with the other applicable zoning, health and safety ordinances in effect at the time of such restoration.

SECTION 6: This ordinance constitutes an express exception in the area specified to the requirements of any other ordinance of the City of San Bruno which would otherwise require approval by the voters of the City of San Bruno prior to approval of construction of any building or structure in excess of three (3) stories or fifty (50) feet in height, construction of any above-ground multi-story parking structure, and/or maximum density of residential development.

SECTION 7: The height and the number of stories of any building or related structure and the definitions of the words, terms, and phrases herein shall be governed by the definitions in the edition of the California Building Code most recently adopted by the City of San Bruno, or as modified by local ordinance.

SECTION 8: Nothing in this ordinance shall be construed to except (beyond that stated herein) the proposed development from any requirement or procedure adopted or established by any City ordinance or resolution, or by any county or regional law or regulation, or by state law or regulation concerning the development approval process of the City of San Bruno; further, nothing in this ordinance shall be construed to require the City of San Bruno approve any such development.

SECTION 9: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The people of the City of San Bruno hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 10: The proposed amendments of this initiative ordinance were analyzed in the Transit Corridors Specific Plan Program Environmental Impact Report (State Clearinghouse No. 2010122029), certified on February 12, 2013 by City Council Resolution 2013-14. The measure does not change the land use regulations or development program at the height and density proposed in the Transit Corridors Plan, and, therefore, no further potential for causing a significant effect on the environment impacts are anticipated. However, the physical development of individual sites will be subject to review and analysis as provided by CEQA.

SECTION 11: This ordinance shall take effect as provided in § 9217 of the Elections Code of the State of California.

SECTION 12: The City Clerk shall publish this ordinance according to law.

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I hereby certify that foregoing **Initiative Ordinance No.1827A** was enacted by a vote of the people in a Municipal Election held on November 4, 2014 and was declared by the San Bruno City Council at a regular City Council Meeting held on December 9, 2014, and went into effect on December 19, 2014.

I hereby certify this to be a full, true and correct copy of the document it reports to be, the original of which is on file in my office.

Dated: April 11, 2018

Vicki S. Haulin Acting City Clerk
City Clerk of the City of San Bruno

