

1 **Chapter 25.33 HMU (HOWARD MIXED USE) DISTRICT REGULATIONS**

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16 25.33.010 Scope of regulations.

17 The Howard Mixed Use District is the area to the south of Burlingame Avenue in Downtown
18 Burlingame and consists of a mix of uses. The streets that connect Howard Avenue with Burlingame
19 Avenue act as connectors with the commercial uses along those streets strengthening the relationship
20 between Burlingame and Howard Avenues. The following regulations shall apply to all properties within
21 the HMU district.

22 25.33.020 Permitted uses.

23 The following uses are permitted in the HMU district:

24 (a) Retail uses which achieve contiguous, pedestrian-oriented, retail frontage such as drug,
25 liquor, variety stores, paint and hardware, apparel, accessory, stationery, florists, household furnishings,
26 and furniture.

27 (b) Personal services, such as barber and beauty shops, photographic studios, shoe repair
28 and laundry and dry cleaning services which do not include on-site processing.

29 (c) Business services, such as printing services, mailing services and post office box
30 services.

31 (d) Hotels.

32 (e) Travel agencies.

1 (f) Government agencies.

2 (g) Grocery stores and markets.

3 (g) Financial Institutions.

4 (f) Above the first floor only:

5 (1) Offices, including health services and real estate, with parking as required by Chapter
6 25.70.

7 (2) Multi-family residential uses, including live/work, with an average maximum unit size of
8 1250 square feet. Average maximum unit size is defined as the maximum value allowed when averaging
9 the square footage of gross floor areas of all residential units in a project.

10 (g) Above and below the first floor only:

11 (1) Personal trainer and assessment businesses.

12 25.33.030 Conditional uses requiring a conditional use permit.

13 The following are conditional uses requiring a conditional use permit in the HMU District:

14 (a) Instructional classes incidental to retail or service use.

15 (b) Commercial recreation use.

16 (c) Food establishments.

17 (d) Pool halls, bowling alleys and other commercial amusements.

18 (e) Performing arts facilities.

19 (f) Laundry and dry cleaning agencies with on-site processing plants.

20 (g) Drive-in services or take-out services associated with permitted uses.

21 25.33.035 Prohibited Uses.

22 Uses not listed as permitted or conditional shall be prohibited and in particular, but not limited to
23 the following:

24 (a) Uses of any industrial nature, including, but not limited to junkyards and automobile
25 wrecking establishments.

26 (b) Massage, bathing or similar establishments, unless licensed by the California Massage
27 Therapy Council (CAMTC) pursuant to Chapter 10.5 of the California Business and Professions Code
28 (section 4600 et seq), which requires that CAMTC licensed massage establishments shall be considered
29 a personal service.

30 (c) Adult-oriented businesses as defined in Chapter 25.76.

31 (d) Warehouses for storage of furniture, household, personal, or other similar articles or
32 outdoor commercial storage.

1 25.33.040 Additional requirements for health services, beauty shops, barbershop, health studio,
2 tanning facilities.

3 A health service, beauty shop, barbershop, health studio, or tanning facility in any location in any
4 HMU district shall be limited to the hours of 7:00 a.m. to 9:00 p.m. unless a conditional use permit is
5 approved by the planning commission pursuant to Chapter 25.52 to allow use outside those hours. The
6 hours limitation imposed by this section does not apply to an occasional medical emergency at a health
7 service use.

8 25.33.045 Design review.

9 Construction and alterations as designated in Chapter 25.57 shall be subject to design review
10 under that chapter. When any part of a commercial or mixed use structure is subject to design review,
11 any awnings on the structure shall be included in the design review.

12 25.33.050 Minimum lot size and street frontage.

13 Each lot in this district shall have an area of at least five thousand (5,000) square feet and a
14 street frontage of at least fifty (50) feet.

15 25.33.055 Building height.

16 (a) No building or structure shall be constructed in the HMU district which exceeds fifty-five
17 (55) feet in height.

18 25.33.060 Setbacks and build-to lines

19 (a) El Camino Real. There shall be a ten (10) foot build-to line along El Camino Real. A
20 minimum of sixty (60) percent of the structure shall be located at the build-to line.

21 (b) Except for properties fronting on El Camino Real, the front wall of the first story of any
22 structure shall have no minimum front setback, and a minimum of sixty (60) percent of the structure shall
23 be located at the front property line.

24 (c) There shall be no minimum side or rear setback, except properties with side or rear
25 setbacks along El Camino Real.

26 25.33.065 Minimum ground floor ceiling height

27 New building or structures or projects determined to be substantial construction shall have a
28 minimum ground floor ceiling height of fifteen (15) feet, as measured from finished floor to the ceiling of
29 the ground floor.

30 25.33.070 Exceptions allowed with a special permit.

31 The following exceptions shall be allowed in the district with a special permit:
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1 (a) Architectural features in excess of the maximum building height which do not extend
2 more than ten feet above the maximum height and do not occupy more than ten (10) percent of the roof
3 area. The architectural features shall enhance the design of the building and shall be reviewed as a part
4 of the Design Review process as outlined in Chapter 25.57 of this code.
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