

BACKGROUND

- **COUNCIL DIRECTION.** City Council provided previous direction regarding Zoning Code updates on February 5, 2018
- **COMMERCIAL AND P-ZONING UPDATES.** Prioritized and approved by Council on December 17, 2018
- **CANNABIS PILOT PROGRAM.** City Council directed staff to eliminate the cap on up to 5 cannabis product manufacturers at their November 12, 2019 work session.
- **STATE MANDATES.** This update accommodates new State legislation effective January 1, 2020
- **BAYFAIR TOD IMPLEMENTATION.** In progress; update to come to Council 3rd Quarter 2020

RE-NUMBERED SECTIONS

- **THREE-TIER SYSTEM.** Consistent with Municipal Code & Administrative Code (e.g. Article 5, §2-576 → Chapter 2.04, § 2.04.388)
- **EXPANDABLE.** Section numbers skip by 4's, flexibility for inserting new sections
- **ONLINE LINKS.** Directly click on hyperlinks to reference sections.
- **RE-ORDER FOR CLARITY.** Re-order chapters alphabetically and under the correct Titles, Chapters, or Articles. (e.g. ADU under “Development Regulations”, AU Assembly Use as separate Overlay District, Nonresidential Condominium Conversion under “Administration” not “Affordable Housing.”)

UPDATE FOR LANGUAGE, STYLE, AND FORMATTING

- **NUMBERING.** Spell out below 10 and numerals for numbers 10+, some exceptions
- **CONVENTIONAL STYLES.** Alphabetical order by District; appropriate abbreviations (e.g. “SF” and “s.f.” → “sf”)
- **CONSOLIDATED DEFINITIONS.** Where possible, definitions are consolidated and referenced in §1.12.108 to ensure consistent application. (Existing Grade, Hazardous Materials Storage, Recycling Facilities, Mobile Home Park Conversions, Residential Condominium Conversions)
- **USE REGULATION REFERENCES.** Reference use-specific development regulations where they are expected, not buried elsewhere in the code

LARGE FAMILY CHILD CARE HOMES §2.04.224

SB 234, effective 1/1/2020

- **PERMITTED USE:** Licensed family child care home (large & small) is now a permitted use by right
- **ANY DWELLING:** Licensed operations permitted in any dwelling, including apartments and multifamily
- **NO PARKING REQUIREMENTS:** Parking requirements removed from §4.08.108 Parking Table
- **AUTHORITY:** CA Dept. of Social Services Community Care Licensing Div. + Alameda County Fire

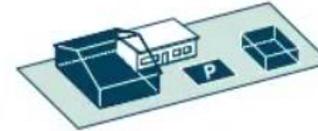
ACCESSORY DWELLING UNITS (ADU)

- **SIX BILLS:** AB 881, AB 68, SB 13, AB 587, AB 670, AB 671; all effective 1/1/2020
- The City's ability to regulate ADUs is limited
- ADUs are now fully ministerial and processed through a building permit

ADD A DETACHED UNIT ON MY LOT



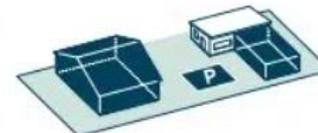
ADD AN ATTACHED UNIT TO MY HOME



CONVERT MY BACKYARD GARAGE



ADD AN ATTACHED UNIT TO MY BACKYARD GARAGE



ACCESSORY DWELLING UNITS (ADU) §2.04.388

- **MORE TYPES:** JADU (Junior Accessory Dwelling Units), ADU (repurposed, detached, attached) allowed in Single-Family & Multi-Family
- **NEW DEVELOPMENT STANDARDS:** New criteria for number permitted, height (16'), size (criteria for studio/1bd/2bd), min setbacks (4'), etc.
- **IMPACT FEE WAIVER:** No development impact fees (DIF) can be imposed on new ADUs less than 750 sf. in size (Most ADUs in San Leandro qualify)
- **FAST TRACK PROCESS:** Ministerially approve or deny within 60 days of a complete Building Permit application

WHAT ADU PROVISIONS ARE NEW AND DIFFERENT?

- **JADU.** Provisions for Junior Accessory Dwelling Units (JADU), effectively permitting up to 3 units on a residential property
- **LOCATION.** ADUs can effectively be constructed on any residential property, including multi-family, duplexes, triplexes, etc. - including garage conversions
- **MULTI-FAMILY REPURPOSED.** Multi-family residential buildings can now convert existing non-habitable spaces (storage rooms, garages, etc.) into ADUs
- **MULTI-FAMILY DETACHED.** Can construct up to two new detached ADUs
- **AFFORDABILITY.** General Plan housing element must contain provisions to incentivize and promote the creation of affordable ADUs

WHAT REMAINS UNCHANGED?

- **SHORT TERM RENTALS.** Prohibitions for ADUs still apply (30 days or less)
- **PARKING CRITERIA.** Remain unchanged from before:
 - Within ½ mile of transit (publicly available fixed routes with set fees)
 - No new or replacement parking can be required, even for garage conversions
- **COVERAGE, F.A.R., OPEN SPACE.** Still apply for ADUs >800 SF
- **DEVELOPMENT IMPACT FEES.** Remain unchanged for ADUs >750 SF

OTHER ADJUSTMENTS

- **TANDEM PARKING.** Specify that 2-car covered parking in single-family allowed to be tandem. Case by case analysis otherwise
- **CANNABIS PILOT PROGRAM CAP LIFTED:** Remove cap of five CUPs
- **SENIOR CITIZEN PARKING.** Senior Citizen Parking ratio re-added. Inadvertently deleted in Ord. 2015-11

SUMMARY

NEW STATE LEGISLATION

- Licensed large family child care home is a permitted use by right in residence.
- ADU development standards for number permitted, size, height, setbacks, occupancy, rental, parking.

Remove cap on Cannabis Product Manufacturing Pilot Program.

CLARIFICATIONS/CORRECTIONS

Proposed changes are not substantive amendments.

Revised to be consistent with the General Plan.

Existing development standard are maintained and unchanged with no effect on implementation.

CEQA EXEMPTION

- Will not result in direct or reasonably foreseeable indirect physical change.
- Any project that has potential to cause significant environmental effects will be evaluated through a separate CEQA process.
- ADU ordinance updates are exempt from CEQA (PRC Sec. 21080.17)