

Exhibit B
Proposed Planned District Zoning Ordinance

VILLAGE MARKET PLACE PLANNED DISTRICT

This Planned District Zone is authorized by Section 3-1006 of the San Leandro Zoning Code. The goal of this Planned District is to develop a local facility that over time represents the character of the community.

PERMITTED USES

- 1) Any use equal to or greater than 10,000 sq. ft. requires an Administrative Review Permit, the approval of which is subject to the following findings:
 - a. The use will be consistent with the developing design and use themes of the City's downtown.
 - b. The use is of a local or regional nature.
 - c. The use is consistent with the economic development goals of the City.
 - d. The use will be consistent with the City's downtown transit oriented development goals or any other adopted City design guidelines.
- 2) Transit oriented uses less than 10,000 sq. ft., as determined by the Community Development Director. The Community Development Director may refer any use determination request to the Planning Commission for a final use determination. The Planning Commission shall make the following findings:
 - a. The use will be consistent with the developing design and use themes of the City's downtown.
 - b. The use is of a local or regional nature.
 - c. The use is consistent with the economic development goals of the City.
 - d. The use will be consistent with the City's downtown transit oriented development goals.
 - e. Any use determination made by the Community Development Director may be appealed to the Planning Commission.
- 3) Multi-Family Residential or Mixed-Use Residential (Density of 75 units per acre). Site plan review is required for five units or more. Four units or less may be approved by the Community Development Director.
- 4) Wine Store (Type 20 ABC license with wine sales only).
- 5) Restaurants. Fast Food, drive-through or "Formula Restaurants" less than 2,000 sq. ft. are, however expressly prohibited, as defined: A drive-in or fast-food restaurant is defined in this Planned Development as any establishment whose principal business is the sale of foods or beverages in a ready-to-consume state, for consumption within the building or off-premises, and whose principal method of operation includes: (1) the sale

of foods and beverages in paper, plastic or other disposable containers; or (2) service of food and beverages directly to a customer in a motor vehicle; or, formula food businesses that do not reflect the unique character of the community and the desired aesthetic ambience of the commercial areas of the City in that they offer rushed, ready-made meals from formula menus identical to similarly decorated units located in other communities and thus cannot contribute to the established uniqueness of the neighborhood.

- 6) Cafés.
- 7) Financial institutions, retail.
- 8) Food markets.
- 9) Retail sales.
- 10) City or cultural uses as determined by the Community Development Director.
- 11) Accessory uses, when in conjunction with a permitted use, subject to approval by the Community Development Director.
- 12) Business services.
- 13) Drugstores. Requires an Administrative Review Permit for facilities greater than 10,000 sq. ft.
- 14) Furniture, electronic, and appliance sales.
- 15) Government offices.
- 16) Home improvement and interior decoration.
- 17) Neighborhood/specialty food markets.
- 18) Offices, business and professional. Office uses-total on-site office uses may not exceed one addressed space.
- 19) Pharmacies.
- 20) Retail services.
- 21) Supermarket. Requires an Administrative Review Permit for facilities greater than 10,000 sq. ft.

OTHER USES

The following "other uses" may be established with an amendment to the Planned District and with a Site Plan Review Permit approved by the Planning Commission, pursuant to Sections 5-2502(A) and 3-1026(A) of the Zoning Code.

- 1) Bars.
- 2) Bed and breakfast inns. (Subject to the regulations of Section 4-1674 of the Zoning Code: Bed and Breakfast Inns.)
- 3) Commercial parking facility.
- 4) Commercial recreation.
- 5) Cultural institutions.
- 6) Emergency health care.

- 7) Entertainment activities when provided as a primary use.
- 8) Farmer's market.
- 9) Massage therapy.
- 10) Public safety facilities.
- 11) Restaurants full-service or fast food establishment, large scale.
- 12) Secondhand sales.
- 13) Telecommunications towers. (See Section 4-1686: Wireless Telecommunication Facilities of the Zoning Code, as per Ordinance No. 98-009).
- 14) Theaters.

USES REQUIRING ADMINISTRATIVE REVIEW

The following uses are allowed subject to the approval of a Zoning Permit by the Zoning Enforcement Official, pursuant to the requirements of Article 21 of the Zoning Code.

- 1) Automatic teller machines.
- 2) Instruction and improvement services.
- 3) Maintenance and repair services.

ADDITIONAL RESTRICTIONS

Additional restrictions, pursuant to Section 2-674 "Additional Use Restrictions" of the Zoning Code, may apply.

SITE PLAN REVIEW

Any changes to this Planned District shall require both an amendment to this Planned District and a Site Plan Review Permit both of which are subject to the approval of the Planning Commission, pursuant to Sections 5-2502(A) and 3-1026(A) of the Zoning Code.

DESIGN STANDARDS

Development in this Planned District area shall be consistent with any approved plans, with the conditions of this Planned District. Projects shall be designed to be consistent with the goals of the City's Downtown Transit Oriented Development Strategy and shall be pedestrian oriented and consistent with City design themes and guidelines.

MODIFICATIONS

Modifications to existing structures including additions to existing structures shall be reviewed and approved using the following procedure and subject to the approval of the Community Development Director:

Design standards

- a. Modifications shall be architecturally consistent with existing structures and with the terms of the associated Planned Development Permit.

- b. Setbacks shall be consistent with the existing pattern of development.
- c. Modifications shall conform to all City design guidelines in effect at the time the modification is approved.

PARKING

Article 17 of the Zoning Code (Off-Street Parking and Loading Regulations) shall apply to all parking requirements and standards not included in the associated Planned Development Permit.

LANDSCAPING

Article 19 of the Zoning Code (Landscape Requirements) shall apply to all new development.

SIGN PLAN

All signs must be in conformance with the City's Downtown Sign Plan. All signs shall be permitted by obtaining a City Sign Permit.

DEVELOPMENT STANDARDS

Setbacks: There are no required building setbacks. Some uses may require setbacks from streets or other structures as determined by the Zoning Enforcement Officer (ZEO).

CONFLICTS BETWEEN THE CITY CODE AND THE PLANNED DEVELOPMENT PERMIT

The Zoning Enforcement Official, at his sole discretion, shall resolve any conflicts between this Planned District Permit and the Zoning Code.