

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2025-XXX

**RESOLUTION TO AMEND TITLE 2, CHAPTER 5, ARTICLE 3 (REASONABLE  
ACCOMMODATION POLICY FOR ZONING AND LAND USE) OF THE SAN LEANDRO  
ADMINISTRATIVE CODE**

**WHEREAS**, the City of San Leandro has an existing Reasonable Accommodation Policy for Zoning and Land Use (Title 2, Chapter 5, Article 3 of the San Leandro Administrative Code); and

**WHEREAS**, the Reasonable Accommodation Policy provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (“the Acts”) in the application of zoning laws and other land use regulations, policies and procedures; and

**WHEREAS**, the Acts impose an affirmative duty on local jurisdictions to make reasonable accommodations to their zoning laws and other land use regulations and practices where necessary to provide people with disabilities equal opportunity in housing; and

**WHEREAS**, on June 14, 2022, the State Attorney General issued guidance to all cities and counties in California regarding addressing land use and zoning barriers to fair housing for people with disabilities; and

**WHEREAS**, the City Council adopted the 2023-2031 Housing Element for the City of San Leandro on December 5, 2022; and

**WHEREAS**, the State Department of Housing and Community Development certified the 2023-2031 San Leandro Housing Element on February 2, 2023; and

**WHEREAS**, the 2023-2031 Housing Element established goals, policies and programs to advance fair housing; and

**WHEREAS**, Housing Element Program 15, Action 15.2 called for the City to review and update the City’s existing reasonable accommodation policy to remove criteria that may limit reasonable accommodations, including consideration of potential impact on surrounding uses; and

**WHEREAS**, staff has prepared amendments to the Reasonable Accommodation Policy to better align with the Acts and the State Attorney General’s 2022 guidance; and

**WHEREAS**, a staff report dated July 7, 2025, and incorporated herein by reference, describes and analyzes the proposed amendments; and

**WHEREAS**, on July 7, 2025, the City Council held a duly noticed public hearing to consider the proposed amendments, at which time all interested parties had an opportunity to be heard; and

**WHEREAS**, the City Council has considered all public comments received, the presentation by City staff, the staff report and attachments in adopting this resolution; and

**WHEREAS**, the City's General Plan and Administrative Code are incorporated herein by reference and are available for review at City Hall during normal business hours.

**NOW, THEREFORE**, the City Council of the City of San Leandro **does RESOLVE** that the above recitals are true and correct and made a part of this resolution; and

**BE IT FURTHER RESOLVED THAT** the City Council of the City of San Leandro does hereby find that the proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project that has the potential for causing a significant effect on the environment under CEQA Guidelines Section 15061(b)(3); no further environmental review is necessary; and

**BE IT FURTHER RESOLVED THAT** Title 2, Chapter 5, Article 3 of the San Leandro Administrative Code is hereby amended as shown in the attached "Exhibit A," which is incorporated herein by reference.

Introduced by Councilmember \_\_\_\_\_ and passed and adopted this 7<sup>th</sup> day of July, 2025, by the following vote:

**AYES:** \_\_\_\_\_ ()

**NOES:** \_\_\_\_\_ ()

**ABSENT:** \_\_\_\_\_ ()

**ATTEST:** \_\_\_\_\_  
Kelly B. Clancy, CMC City Clerk