



## Legislation Details (With Text)

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**Title:** Staff Report for the Second Reading of the City of San Leandro City Council Ordinance No. 2020-012 Adopting Chapter 2.10, Bay Fair Transit Oriented Development (B-TOD), to the San Leandro Zoning Code and Related Amendments to the Zoning Code, Zoning Map, and Municipal Code (Introduced on December 7, 2020).

**Sponsors:** Tom Liao

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Staff Report for the Second Reading of the City of San Leandro City Council Ordinance No. 2020-012 Adopting Chapter 2.10, Bay Fair Transit Oriented Development (B-TOD), to the San Leandro Zoning Code and Related Amendments to the Zoning Code, Zoning Map, and Municipal Code (Introduced on December 7, 2020).

### SUMMARY AND RECOMMENDATION

Staff recommends that the City Council approve the second reading of Ordinance No. 2020-012 adopting:

- a. San Leandro Zoning Code Chapter 2.10 and related Zoning Code amendments as shown in attached Exhibit A;
- b. Zoning Map amendments as shown in attached Exhibit B; and
- c. Municipal Code amendments as shown in attached Exhibit C.

### BACKGROUND AND ANALYSIS

#### **Background**

On December 7, 2020, the City Council reviewed, accepted public comments, and approved the first reading of the City of San Leandro Ordinance adopting Chapter 2.10, Bay Fair Transit-Oriented Development (B-TOD), to the San Leandro Zoning Code and related amendments to the Zoning Code, Zoning Map, and Municipal Code.

On December 7, the Council also adopted a related Resolution (No. 2020-149) amending the Bay Fair Transit-Oriented Development (TOD) Specific Plan and General Plan for consistency with the Zoning Amendments and determining that the proposed project was adequately analyzed pursuant to

the California Environmental Quality Act (CEQA) by the Addendum to the Certified Bay Fair TOD Specific Plan EIR (SCH#2017032016).

On February 1, 2021, the City Council tabled the second reading of the Ordinance adopting the B-TOD Zoning Amendments pending the preparation of citywide supplemental mobile home park protections and further discussions with key stakeholder groups.

Since the February 1, 2021 City Council meeting, staff has met with key stakeholder groups. On September 20, 2021, the City Council voted 7-0 to introduce an Ordinance adopting Zoning Code and Zoning Map Amendments to strengthen anti-displacement policies for mobile home park residents. The proposed Zoning Code amendments add Chapter 3.34, MHP Mobile Home Park Overlay District, and amend Chapter 5.28, Mobile Home Park Conversions. The proposed Zoning Map Amendments apply the MHP Overlay Zone to all existing mobile home park sites. The Ordinance will become effective on October 21, 2021.

On September 20, 2021, in accordance with Robert's Rules of Order as prescribed by Section II of the City Council Handbook, the City Council removed from the table the Second Reading of Ordinance No. 2020-12 amending the Zoning Code, Zoning Map, and Municipal Code to implement the 2018 Bay Fair TOD Specific Plan.

### ***Bay Fair TOD Zoning Amendments***

The proposed Zoning and Municipal Code amendments are the culmination of a multi-year, public planning effort to lay the groundwork to transform the 154-acre area surrounding the Bay Fair BART Station into a vibrant transit village with a diversity of land uses serving residents, workers, and visitors. In 2018, the Council adopted the Bay Fair TOD Specific Plan (Specific Plan), which promotes the long-term sustainability and vibrancy of the Bay Fair BART Station area and helped establish it as a regional Priority Development Area (PDA) in order to:

- Provide greater access to public funding targeted to TOD areas;
- Incentivize/streamline the regulatory process for future TOD developments;
- Continue City and private investments in South San Leandro; and
- Add the final planning piece to the City's East 14th Street corridor, following the East 14th South Area Strategy (2004) and the Downtown TOD Strategy (2007), all in compliance with MTC's regional Plan Bay Area 2040.

The Zoning Code, Zoning Map, and Municipal Code amendments are a critical next step in implementing the Specific Plan. The amendments implement the community's vision as articulated in the Specific Plan and establish appropriate development and design standards for this major growth area in the City. The amendments respond to recent trends in state law by establishing objective criteria; however, they also include opportunities for flexibility and a wide range of land uses to better align with future economic and development trends while keeping with the spirit of the Specific Plan.

The Zoning and Municipal Code Amendments are consistent with the purposes of the Zoning Code contained in Section 1.04.108 as well as the General Plan and relevant General Plan policies related to the Bay Fair TOD area, including:

*Policy LU-8.10 Bay Fair Area.* Transform the area around the Bay Fair BART station, including Bayfair Center, other shopping centers, and properties along Hesperian, East 14th, and other major arterials, into a dynamic new transit-oriented development area. Future development in this area should reposition Bayfair Center to reflect current trends in retailing; add a mix of higher-density residential, office, and other commercial uses; maximize the potential for BART use; and minimize dependence on autos for daily trips.

The Council voted 6-1 to approve the first reading of the Ordinance with minor modifications including: 1) the Planning Commission's recommendation to refer to "protected" rather than "buffered" bike lanes; 2) staff's recommended language related to the applicability of new open space requirements; and 3) language encouraging the use of renewable energy sources. These modifications are reflected in the updated Exhibit A to the attached Ordinance. Exhibit B to the attached Ordinance has also been updated to reflect the MHP Overlay Zone for the two mobile home parks within the Pan area.

## **ENVIRONMENTAL REVIEW**

On February 20, 2018, the City Council adopted Resolution No. 2018-008 certifying an EIR entitled, "Bay Fair Transit Oriented Development (TOD) Specific Plan Environmental Impact Report" (SCH # 2017032016)." In conjunction with the certification of the EIR, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Project.

Pursuant to CEQA and the CEQA Guidelines, the City of San Leandro completed an Addendum to the Bay Fair Transit Oriented Development (TOD) Specific Plan Final Environmental Impact Report (EIR). The Addendum includes an analysis of the proposed project, based on Appendix G of the CEQA Guidelines, and whether the environmental effects from the proposed project will be any different from those disclosed in the Certified EIR. The Addendum concluded that the proposed project will not result in any new significant impacts or substantially increase the severity of any significant impacts identified in the Certified EIR. No new information of substantial importance was identified, and no new mitigation measures will be necessary to reduce significant impacts. Applicable mitigation measures from the Certified EIR will be included as conditions of approval when future projects are processed for planning approvals.

On December 7, 2020, the City Council adopted Resolution No. 2020-149 adopting the Addendum to the Bay Fair TOD Specific Plan Environmental Impact Report SCH#2017032016 for the Project.

## **FISCAL IMPACT**

There is no direct fiscal impact from adopting the proposed Zoning and Municipal Code amendments. However, future development of the Bay Fair TOD area is anticipated to generate substantial development impact fees and property tax revenues.

## **RECOMMENDATION**

Staff recommends that the City Council approve the second reading of Ordinance No. 2020-012 adopting:

- a. San Leandro Zoning Code Chapter 2.10 and related Zoning Code amendments as shown in attached Exhibit A;
- b. Zoning Map amendments as shown in attached Exhibit B; and
- c. Municipal Code amendments as shown in attached Exhibit C.

## **ATTACHMENTS**

### Attachments to City Council Ordinance

Exhibit A - Zoning Code Amendments (clean)

Exhibit B - Zoning Map Amendments (clean)

Exhibit C - Municipal Code Amendments (clean)

### **PREPARED BY:**

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