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**Indexes:**

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Date	Ver.	Action By	Action	Result
4/2/2012	1	City Council	Accepted as Submitted	

Rules and Communications Committee Highlights of March 1, 2012

**CITY OF SAN LEANDRO**

**CITY COUNCIL RULES AND COMMUNICATIONS COMMITTEE**

**March 1, 2012  
4:00 - 5:30 p.m.**

**San Leandro City Hall  
835 East 14th Street  
San Leandro, California  
(Sister Cities Gallery)**

**HIGHLIGHTS**

Committee Members present:

Mayor Stephen Cassidy, Councilmembers Jim Prola and Ursula Reed

City Staff present:

Chris Zapata, City Manager; Jayne Williams, City Attorney; Lianne Marshall, Assistant City Manager; Luke Sims, Community Development Director; Deborah Fox,

Public present:

Chris Crow, Dan Dillman, Darlene Evans, Eric Flowers, Scott Hennigh, Dave Johnson, Marga Lacabe, Whitlow Magor, Gary Mortara (several attendees did not sign in or identify themselves)

Mayor Cassidy called the meeting to order at 4:23 p.m., and apologized to the group for his late arrival.

**1. Discussion Regarding Modification of Proposed Changes to Industrial Districts Related to Assembly Uses, Commercial Recreation and Entertainment Activities**

Community Development Director Luke Sims commented on the complexity of the issue, and the possible confusion and lack of clarity surrounding it, and stated that he hoped a detailed discussion with the Rules Committee could take place today. Senior Planner Kathleen Livermore described the elements of the proposal presented to the City Council at the February 21<sup>st</sup> Council meeting. At the meeting, the Council referred discussion on the zoning changes to the Industrial districts to the Rules and Communications Committee for further discussion and analysis of potential alternatives and options.

She noted that, in an effort to simplify the explanation, the point was omitted that currently, the Industrial General district does not include Commercial Recreation as a conditionally permitted use.

Ms. Livermore described the four maps that were displayed:

1. Zoning map;
2. Proposed Industrial Zoned Assembly Use Areas that Would Allow for Commercial Recreation Uses with a Conditional Use Permit;
3. Current Industrial Zoned Areas that Allow for Commercial Recreation Uses with a Conditional Use Permit; and
4. Industrial Zoned Areas with AU Overlay and Commercial Zoned Areas Allowing Commercial Recreation and/or Entertainment Activities with a Conditional Use Permit

Ms. Livermore reviewed several items addressed in the staff report, including the uses in the industrial districts in the existing zoning code and the proposed zoning changes; how primary versus Accessory Uses are treated in the industrial districts; wage differentials in Commercial Recreation and Tech Sector jobs; and industrial standards and infrastructure in industrial districts.

A discussion ensued, and Committee members asked questions regarding the Assembly Use Overlay Criteria and possible modifications.

Mr. Sims indicated that if the Council wished to modify the Assembly Use Overlay Criteria and possibly expand the Assembly Use area, it would require extensive discussion and input from stakeholders, and careful consideration to avoid conflicts with the General Plan.

#### Public Comments:

Chris Crow commented that the proposed changes are “awkward.” He asked the Committee to heed the advice of the business minds in the room, as well as the advice of the Planning Commission, and to reject City staff’s recommendation.

Marga Lacabe commented that the proposed zoning changes are a strategy in the Faith Fellowship case, and not about zoning law.

Gary Mortara commented that if this zoning proposal is a reaction to the Faith Fellowship litigation, it is an overreaction. He urged the Committee not to limit the uses in the industrial zones. Mr. Mortara stated that, rather than sue the City, he preferred the City find him another building for his church.

Dan Dillman commented that the Committee can send an encouraging and unifying message to businesses that may want to locate in San Leandro, and put the people first, by not overly restricting uses in the industrial zones.

Darlene Evans made various comments regarding zoning issues.

Whit Magor commented that bringing new businesses to San Leandro is exciting, and that imposing limits on them is a mistake.

Dave Johnson commented that the proposed changes would hinder the ability to attract capital to this community and retain existing businesses. Mr. Johnson suggested that, rather than an outright ban, conditional use should be retained with the proper conditions established.

Eric Flowers asked if research has been done to determine the amount of tax revenue generated in the subject zones.

End of Public Comments

A Committee discussion ensued. The Committee concurred that the matter should be returned without recommendation to the full Council for further discussion.

City Attorney Jayne Williams noted that the matter was continued from the March 5<sup>th</sup> City Council meeting to the March 19<sup>th</sup> meeting. Staff was requested to prepare a detailed presentation on Recommendation #2.

**2. Public Comments**

None.

**3. Committee Member Comments**

None.

**4. Adjourn**

The meeting was adjourned at 5:46 p.m.