



Legislation Details (With Text)

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**In control:** City Council

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**Title:** Planning Commission Resolution No. 2017-002, Recommending that the City Council Adopt an Ordinance Amending Section 2-576 of Article 5 of the San Leandro Zoning Code Related to Accessory Dwelling Units and Amending Other Code Sections as Needed for Internal Consistency

**Sponsors:** Cynthia Battenberg

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Exhibit B

Date	Ver.	Action By	Action	Result
2/16/2017	1	Planning Commission	Adopted as Amended	Pass

**Planning Commission Resolution No. 2017-002, Recommending that the City Council Adopt an Ordinance Amending Section 2-576 of Article 5 of the San Leandro Zoning Code Related to Accessory Dwelling Units and Amending Other Code Sections as Needed for Internal Consistency**

**WHEREAS**, Accessory Dwelling Units provide an important housing resource for low and very low income households, and a means of making home ownership more viable for moderate income homeowners; and

**WHEREAS**, the San Leandro General Plan adopted in 2016 supports the construction of Accessory Dwelling Units in single family residential areas, and urges the City to “improve economic access to housing for all segments of the community;” and

**WHEREAS**, the San Leandro Housing Element adopted in 2015 recognizes Accessory Dwelling Units as an “essential part of the city’s housing stock” and a “resource for lower income households, students and young adults, extended families and small households;” and

**WHEREAS**, the adopted Housing Element further states in its action programs that zoning amendments should be developed to facilitate the construction of additional dwellings in single family neighborhoods; and

**WHEREAS**, San Leandro is committed to meeting its Regional Housing Needs Allocation for 2015-2023, which includes 504 very low income and 270 low income units; and

**WHEREAS**, the City has developed provisions in its Zoning Code for Accessory Dwelling Units in Article 5, Section 2-576 (currently entitled “Secondary Dwelling Units”); and

**WHEREAS**, these provisions are subject to periodic modification in response to new State laws and changes to the California Government Code; and

**WHEREAS**, Section 65852.2 of the California Government Code was amended in September

2016 as a result of the passage of Senate Bill 1069 and Assembly Bill 2299; and

**WHEREAS**, cities and counties across the State of California have been directed to revise their Accessory Dwelling Unit regulations by January 1, 2017 to implement the new requirements, and submit their revised regulations to the California Department of Housing and Community Development within 60 days after they become effective; and

**WHEREAS**, the proposed amendments to Article 5, Section 2-576 would meet all requirements of the revised Government Code and are consistent with the new State guidelines for Accessory Dwelling Unit regulations published by the California Department of Housing and Community Development in December 2016; and

**WHEREAS**, amendments to the other sections of the San Leandro Zoning Code have been proposed to ensure internal consistency throughout the Code; and

**WHEREAS**, the proposed revisions to Article 5, Section 2-576 are statutorily exempt from the California Environmental Quality Act under Public Resources Code Section 21080.17; and

**WHEREAS**, the proposed revisions to the Zoning Code are incorporated herein by reference, and are available for review at City Hall during normal business hours.

**NOW, THEREFORE**, the City of San Leandro Planning Commission does hereby **RESOLVE** as follows:

The forgoing recitals are true and correct and made part of this resolution.

**BE IT FURTHER RESOLVED:** The Planning Commission of the City of San Leandro does hereby make the following findings and determinations regarding the proposed Zoning Ordinance text amendment:

1. The amendments to Article 5, Section 2-576, related to Accessory Dwelling Units are in general agreement and consistent with the General Plan, as further explained in the staff report associated with this resolution, and as required by Government Code section 65852.1 and Sections 5-2708 and 5-2712 of the San Leandro Zoning Code.
2. The Planning Commission recommends City Council approval of the proposed Zoning text amendments to Article 5, Section 2-576, related to Accessory Dwelling Units attached as Exhibit A to this resolution.
3. The Planning Commission recommends City Council approval of the conforming revisions to other sections of the Code as shown in Exhibit B to this resolution in order to maintain internal consistency throughout the Zoning Code.

**PASSED, APPROVED AND ADOPTED** this 16th day of February, 2017 by the following vote: